

**INITIAL STUDY and NEGATIVE DECLARATION**  
***SCH # 2010051086***

**CITY OF LAKE FOREST**  
**2008-2014 HOUSING ELEMENT UPDATE**  
***General Plan Amendment 5-10-1232***

**Lead Agency:** City of Lake Forest  
25550 Commercentre Dr., Suite 100  
Lake Forest, CA 92630

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**Final, July 2010**

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## A. Project Description

1. Project title: **2008-2014 Housing Element Update**
2. Lead agency name and address: **City of Lake Forest  
25550 Commercentre Dr., Suite 100  
Lake Forest, CA 92630**
3. Contact person and phone number: **Cheryl Kuta, AICP, Planning Manager  
949-461-3479  
[ckuta@lakeforestca.gov](mailto:ckuta@lakeforestca.gov)**
4. Project location: **Citywide**
5. Project sponsor's name and address: **City of Lake Forest Development Services Department**
6. General plan designation: **Citywide - varies**
7. Zoning: **Citywide - varies**
8. Description of project: *(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)*

### Overview

California Government Code Section 65302(c) mandates that each city and county shall include a Housing Element in its General Plan, and that the Housing Element be updated periodically to reflect current conditions and legal requirements. State law requires that jurisdictions within the Southern California Association of Governments region update their Housing Elements for the 2008 – 2014 planning period.

The Housing Element is required to identify and analyze existing and projected housing needs, and include statements of the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing. In adopting its Housing Element, the City must consider local conditions and context, including economic, environmental, and fiscal factors, as well as community goals as set forth elsewhere in the General Plan.

### Housing Element Contents

The Housing Element is comprised of the following chapters:

- Introduction and overview of Housing Element content and requirements (Chapter 1);
- Analysis of population, household and employment trends, characteristics of the housing stock, and a summary of current and projected housing needs (Chapter 2);
- Evaluation of resources and opportunities that will facilitate the development and preservation of housing for all economic segments of the community (Chapter 3);
- Review of potential constraints to meeting identified housing needs (Chapter 4);
- A Housing Action Plan to address identified needs, including housing goals, policies and programs (Chapter 5);

- Evaluation of housing accomplishments during the previous planning period (Appendix A);
- Inventory of potential sites for residential development (Appendix B); and
- Summary of public involvement during the Housing Element update process (Appendix C).

### Legal Framework for the Housing Element

State law requires that Housing Elements comply with the statutory provisions of California Government Code Section 65580 et seq. The Housing Element is unique among General Plan elements in the extent to which state law prescribes local policies, and the legislature has granted the California Department of Housing and Community Development (HCD) the authority to review local governments' housing elements and issue findings regarding whether, in its opinion, the housing element substantially complies with the requirements of state law. Cities are required to submit draft housing elements to HCD for review prior to adoption, and must also submit adopted elements for review. Failure to adopt a housing element that HCD finds to be in compliance with state law may result in the loss of eligibility for community development grant funds, and cities may be required to prepare more frequent housing element updates in the future. The City of Lake Forest submitted the draft Housing Element to HCD for review, and on May 13, 2010 a letter was issued by HCD stating that the draft element fully addresses the requirements of state law.

### Relationship of the Housing Element to the General Plan

The Housing Element is one of the state-mandated elements of the General Plan. While the time horizon for a General Plan is often 20 years or more, state law requires housing elements to be updated on a more frequent schedule. The new Housing Element covers the period 2008 – 2014.

State law also requires all elements of the General Plan to be internally consistent. The Housing Element contains policies and assumptions regarding housing development that are consistent with the land use patterns described in the Land Use Element. The programmatic actions called for in Chapter 5 of the Housing Element would not change the location or intensity of new development anticipated in the Land Use Element (see Exhibit A-1, Land Use Element Map on p. 6).

### Key Issues

Since the Housing Element is revised periodically, this update represents a fine-tuning process rather than a wholesale overhaul. Many of the City's efforts have been successful and will be continued during the new planning period. Appendix A of the Housing Element includes a detailed review of current policies and programs, and identifies those components that are working well and those that should be revised to reflect changed circumstances or take advantage of new opportunities or lessons learned over the past few years.

Some new policies and programs contained in the Housing Element are the result of changes in state law or local conditions. The most significant of these proposed changes are summarized below:

#### A. REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) AND QUANTIFIED OBJECTIVES

The Regional Housing Needs Assessment (RHNA) is a key tool for local governments to plan for anticipated growth. The RHNA has been updated for this Housing Element planning cycle, and it quantifies the anticipated housing need for the 8½-year period from January 2006 through June 2014. Communities must demonstrate how they will address this need through the process of updating the Housing Elements of their General Plans.

The RHNA for jurisdictions in Orange County was prepared by the Southern California Association of Governments (SCAG) with assistance from the Orange County Council of Governments. Shown below is the RHNA allocation for the City of Lake Forest.

### Lake Forest Regional Housing Needs Assessment, 2006-2014

Jurisdiction	Extremely Low*	Very Low*	Low	Moderate	Above Mod	Total
Lake Forest	3	3	5	6	12	29

\* 50% of VL units are assumed to be extremely-low per state law

Source: SCAG 2007

The goal of the RHNA is to promote a fair distribution of housing among cities and unincorporated counties in a way that also helps to meet the state's housing goals. The need for new housing specified in the RHNA is not a quota for development. The RHNA only determines the number and affordability of housing units that jurisdictions must plan for through land use policies, regulations, infrastructure plans, and other housing assistance programs. There is no mandate for local governments to achieve the level of development identified in the RHNA.

Cities must demonstrate that their land use plans and regulations provide realistic opportunities for development commensurate with the type and amount of housing identified in the RHNA during the new planning period. To determine whether Lake Forest has adequate sites with realistic capacity for development commensurate with the RHNA, an analysis of vacant and underutilized parcels was conducted (see Housing Element Chapter 3 and Appendix B). The analysis included a review of recent development trends and a thorough review of potential development sites. The most significant aspect of this analysis deals with the capacity of the City to accommodate its RHNA allocation for lower-income housing. As described in Chapter 3, the Housing Element demonstrates that the City has suitable sites to accommodate its RHNA allocation of 29 new units. As a result, no changes to the amount or type of residential development identified in the General Plan Land Use Element are proposed in the Housing Element.

State law also requires that the Housing Element establish "Quantified Objectives" for the maintenance, preservation, improvement and development of housing during the new planning period<sup>1</sup>. The quantified objectives for new construction set forth in the Housing Element are consistent with the City's existing General Plan and zoning land use designations.

In summary:

- The RHNA identifies each jurisdiction's fair share of the region's future housing needs
- The RHNA is a planning target, not a development quota
- Jurisdictions must demonstrate the availability of adequate sites, either vacant or underutilized, with appropriate zoning and development standards to accommodate the new housing need identified in the RHNA
- Sufficient opportunities for new development exist within the City to accommodate its RHNA obligation, and no changes to existing General Plan and zoning land use designations are proposed
- The Quantified Objectives for new housing construction established in the 2008-2014 Housing Element are consistent with both the RHNA and the level of development assumed in the

<sup>1</sup> Government Code Sec. 65583(b)(1)

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General Plan Land Use Element

For purposes of CEQA analysis, it is important to note that the amount and location of new housing development anticipated in the RHNA and the 2008-2014 Housing Element is consistent with the land use designations in the 2001 General Plan (see Exhibit A-1) as amended in July 2008. The General Plan was the subject of a Program EIR which is incorporated herein by reference. The 2008 General Plan Amendments (GPA 2008-02) were also the subject of a Program EIR (the *Lake Forest Opportunities Study Final Program EIR*, certified June 3, 2008) also incorporated herein by reference. The new Housing Element would not alter the amount, location or intensity of new development, or grant any additional entitlements for future development beyond the level that was the subject of previous CEQA evaluations, herein referred to as the “General Plan EIRs”.

**B. EMERGENCY SHELTERS**

An emergency shelter is a permanent, year-round facility that provides shelter to homeless families or individuals on a short-term basis, typically six months or less. Senate Bill (SB) 2 of 2007 strengthened the local planning requirements for emergency shelters. Unless adequate capacity is available to serve a jurisdiction’s existing emergency shelter need, SB 2 requires that shelters be allowed “by-right” (i.e., without a conditional use permit or other discretionary approval) in at least one zoning district. In accordance with SB 2, the Housing Plan (Chapter 5) includes Program 9 to amend the Municipal Code to allow emergency shelters in one or more zoning districts subject to objective development standards without a conditional use permit or other discretionary approval.

**C. TRANSITIONAL AND SUPPORTIVE HOUSING**

Transitional housing is a temporary (often six months to two years) facility for a homeless individual or family that is transitioning to permanent housing. Supportive housing may be longer term and includes a supportive services component (e.g. job skills training, rehabilitation counseling, assistance with daily necessities, etc.) to allow individuals to gain necessary life skills in support of independent living. SB 2 requires that transitional and supportive housing be treated as residential uses that are subject to only those requirements that apply to other residential uses of the same type in the same zone. The Housing Plan includes a commitment to amend the Code in conformance with SB 2 (Program 8 in Chapter 5).

**D. HOUSING FOR PERSONS WITH SPECIAL NEEDS – SINGLE ROOM OCCUPANCY**

State law requires that cities review their zoning regulations, development standards and procedures as part of the Housing Element update to ensure that they do not pose undue constraints on the provision and use of housing by persons with disabilities or other special needs. The City’s analysis indicated that the Municipal Code should be amended to ensure adequate provision for single room occupancy (SRO) housing. Program 7 is included in Chapter 5 of the Housing Element to amend the Code to provide specific development standards for SROs in appropriate locations.

Other policies and programs contained in the 2008-2014 Housing Element Action Plan (Chapter 5) represent a continuation of existing policies and activities or minor modifications to procedures.

**9. Surrounding land uses and setting: (Briefly describe the project's surroundings)**

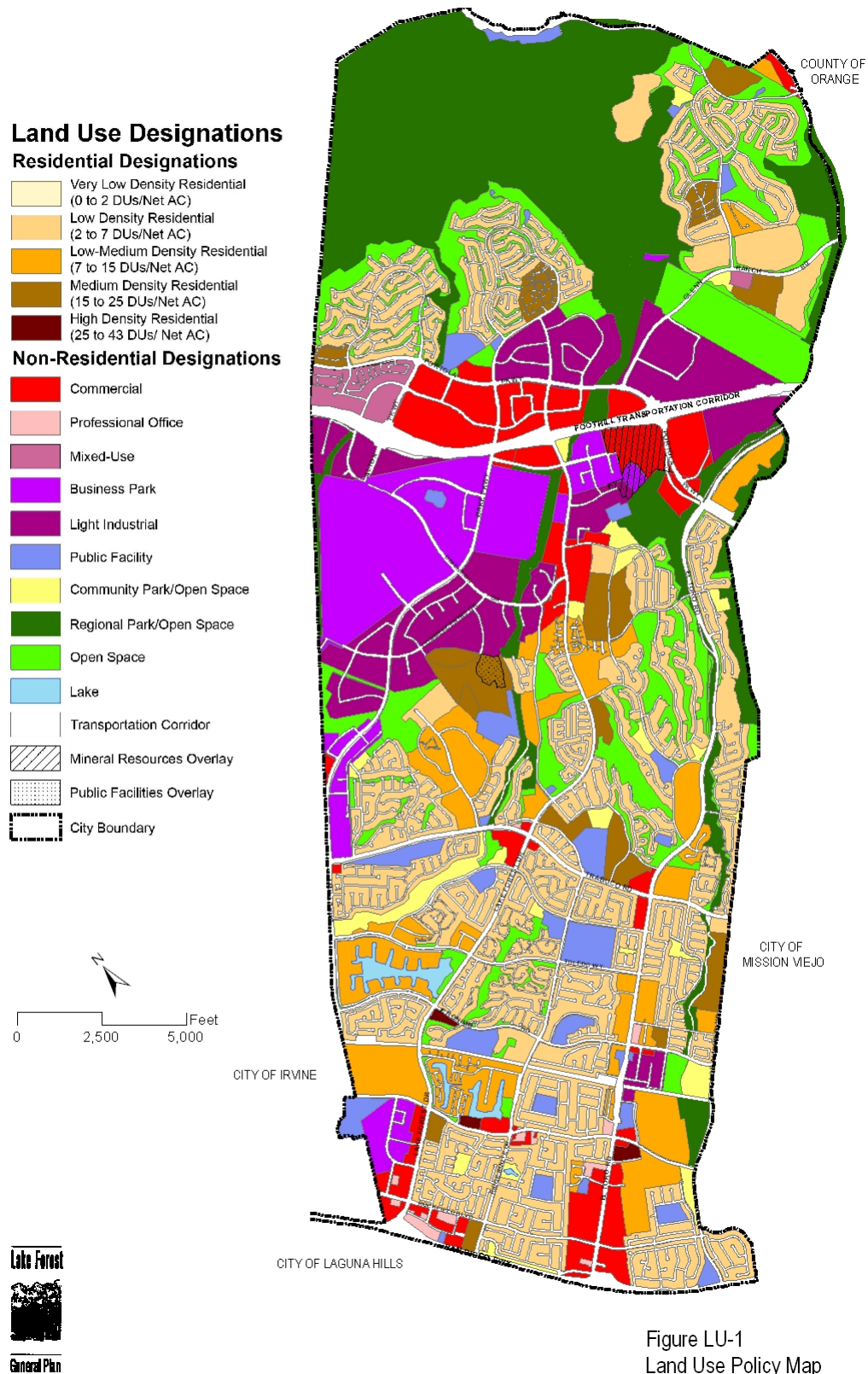
The Housing Element is a General Plan policy document and encompasses the entire City.



10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement)

State law requires that the City submit the draft Housing Element to the California Department of Housing and Community Development (HCD) for review, and that the City Council consider HCD's comments prior to its adoption.

## EXHIBIT A-1



## B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agricultural Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

X	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_, 2010

Printed Name: Cheryl Kuta, AICP  
Planning Manager

For: City of Lake Forest

## C. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a.) Earlier Analysis Used. Identify and state where they are available for review.
  - b.) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c.) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, including a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## INTRODUCTION

In assessing the environmental impacts of the 2008-2014 Housing Element update it should be recognized that the location, intensity and design of development projects are controlled primarily by the Land Use Element of the General Plan, the Zoning Ordinance and planned community regulations. The Housing Element is a policy document that reflects and anticipates development as described in other City plans and ordinances. No changes to the allowable intensity, quantity or location of new housing development are proposed in the Housing Element. In some cases (such as for emergency shelters and transitional/supportive housing) the Housing Element identifies changes to land use policies or regulations that the City intends to implement, however those changes will require amendments to other documents such as the Zoning Ordinance prior to implementation. The specific details of those changes will be subject to a subsequent public review and approval process that includes CEQA analysis. While this Initial Study describes the general characteristics and potential impacts associated with development anticipated in the Housing Element, specific analysis of the potential impacts of future developments cannot be conducted until detailed development plans and/or regulations are prepared.

The proposed Code amendments regarding emergency shelters, transitional/supportive housing, and SRO housing are required by state law. These Code amendments will be subject to a subsequent public review and approval process that includes appropriate CEQA documentation when the amendments are initiated by the City. No specific projects are proposed as part of the Housing Element Update.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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### I. AESTHETICS. *Would the project:*

a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Impact Discussion (a-d): As noted in the Project Description, the Housing Element identifies a need for 29 additional housing units in Lake Forest during the 2006-2014 period. This level of development is consistent with the General Plan and zoning, and no change in residential land use designations is proposed. While new residential developments could create light and glare, standard requirements and conditions of approval will ensure that lighting is designed in a manner that minimizes such impacts. Prior to development, each new project will be the subject of CEQA review and appropriate standards, conditions and mitigation measures will be determined at that time. No new impacts would result from this Housing Element Update, and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**II. AGRICULTURE and FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

*Would the project:*

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
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Impact Discussion (a): The Housing Element assumes that future development will be consistent with the land use designations contained in the General Plan Land Use Element. These land use designations have been established to encourage the protection of agricultural resources, and the Housing Element would have no adverse impact on farmland resources beyond those previously analyzed in the General Plan EIRs.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
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Impact Discussion (b): See II.a, above. Adoption of the Housing Element would not result in changes to existing land use designations, agricultural uses, or Williamson Act contracts, and therefore no impacts beyond those previously analyzed in the General Plan EIRs would result.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
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Impact Discussion (c): There is no designated forest land or timberland within the City, and therefore no adverse impacts would result.

d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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Impact Discussion (d): There is no designated forest land or timberland within the City, and therefore no adverse impacts would result.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X
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Impact Discussion (e): See II.a and II.c above. The Housing Element would involve no land use changes that would be expected to result in conversion of farmland or forest land. No impacts would occur and no mitigation measures are necessary in connection with the Housing Element update.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**III. AIR QUALITY.** Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.  
*Would the project:*

a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Impact Discussion (a-e): The City is located in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) sets and enforces regulations for stationary sources in the basin. The SCAQMD in coordination with the Southern California Association of Governments (SCAG) has developed the Air Quality Management Plan (AQMP) for the air basin. The AQMP includes a comprehensive analysis of future emission forecasts which reflect demographic and economic growth forecasts provided by SCAG.

The planned build-out of the City of Lake Forest based upon the adopted General Plan is included in these forecasts. Therefore, the AQMP as well as the City's General Plan provide an analysis of potential impacts, including the cumulative impacts of basin-wide growth and development. As noted previously, the 2008-2014 Housing Element Update would not change any development patterns compared to those previously analyzed in the General Plan EIRs.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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#### IV. BIOLOGICAL RESOURCES. *Would the project:*

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X

Impact Discussion (a-e): As noted in the Project Description, the Housing Element identifies a need for 29 additional housing units in Lake Forest during the 2006-2014 period. This development is expected to occur on sites that are currently designated for residential development.

Prior to development, proposed plans will be reviewed in detail, and will be the subject of CEQA review to assess potential impacts to biological resources. If any potential impacts are identified, appropriate standards, conditions and mitigation measures will be established at that time. Since the Housing Element would not increase the level of development beyond what has been previously analyzed in the General Plan EIRs. Approval of the Housing Element Update would not grant development entitlements, therefore no impacts would occur and no mitigation measures are necessary.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
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Impact Discussion (f): The City of Lake Forest is a signatory to the local Habitat Conservation Plan/Natural Community Conservation Plan (NCCP/HCP) applicable to the project area. Any future development will comply with the provisions of the adopted plan. Adoption of the Housing Element Update would not grant development entitlements nor alter development patterns as shown in the adopted Land Use Element. Therefore, no impacts would result in this regard.



ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**V. CULTURAL RESOURCES.** *Would the project:*

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

Impact Discussion (a-d): The proposed Housing Element identifies a need for 29 additional housing units in Lake Forest during the planning period. This development is expected to occur on sites currently designated for residential development. Each new development will be required to comply with all applicable State and Federal regulations concerning evaluation, preservation, salvage, or handling of cultural resources. In addition, each development shall be required to comply with all applicable State and Federal regulations concerning burial sites, if applicable. Prior to development, proposed plans will be reviewed in detail, and will be the subject of CEQA review to assess potential impacts to cultural resources. If any potential impacts are identified, appropriate standards, conditions and mitigation measures will be established at that time. Since the Housing Element would not increase the level of development beyond what has previously been analyzed in the General Plan EIRs, no additional analysis is required and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**VI. GEOLOGY AND SOILS.** *Would the project:*

a) Expose people or structures to potential substantial adverse affects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Impact Discussion (a-e): Lake Forest is located within the seismically active Southern California area. No active faults and no Alquist-Priolo zones have been identified within the City. However, the potential for impacts as a result of a fault rupture and seismic ground shaking remains. Adoption of the Housing Element Update would not grant development entitlements nor alter development patterns as described in the adopted Land Use Element. All future development will be analyzed for impacts associated with seismic ground shaking, ground failure, liquefaction, and landslides. While it is not possible to determine site-specific potential impacts related to future developments at this time, some general requirements designed to minimize geological impacts will apply to all new development. These include compliance with the Alquist-Priolo Act, the Uniform Building Code, Title 24 of the California Building Code, and the standards of the Structural Engineers Association of California. Compliance with these building standards is considered the best possible means of reducing geologic hazards. In addition, as part of the City's planning and development review process, future development projects will be required to prepare site-specific geotechnical studies to determine appropriate construction methods to address potential hazards such as liquefaction. No mitigation measures are necessary in connection with this Housing Element Update.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**VII. GREENHOUSE GAS EMISSIONS.** *Would the project:*

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Impact Discussion (a-b): The California State Legislature adopted AB 32, the California Global Warming Solutions Act of 2006, which charged the California Air Resources Board (ARB) to develop regulations on how the state would address global climate change. AB 32 focuses on reducing greenhouse gas emissions in California. Greenhouse gases, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfurhexafluoride (SF6). AB 32 requires that greenhouse gases emitted in California be reduced to 1990 levels by the year 2020. ARB is the state agency charged with monitoring and regulating sources of emissions of greenhouse gases that cause global warming in order to reduce emissions of greenhouse gases. By January 1, 2008, ARB was required to determine what the statewide greenhouse gas emissions level was in 1990, and approve a statewide greenhouse gas emissions limit to apply to the 2020 benchmark. ARB adopted the 1990 greenhouse gas emission inventory/2020 emissions limit of 427 million metric tons of carbon dioxide equivalent (MMTCO<sub>2</sub>e) on December 6, 2007. ARB then developed a document referred to as the “Scoping Plan” that assigns reduction targets to sectors responsible for the emissions. Local governments must achieve reductions through land use measures that will be substantially dependent on the General Plan for success. Statewide, ARB expects to target local governments with reducing GHGs by 5 million metric tons of CO<sub>2</sub> equivalent by 2020.

Senate Bill 375 was signed by the Governor on September 30, 2008. The legislation addresses implementation of AB 32. SB 375 aligns what have been three separate planning processes - one for transportation, one for housing, and one for reducing greenhouse gas emissions - into a single process.

Adoption of the Housing Element Update would not grant development entitlements nor alter development patterns as described in the adopted Land Use Element. Because the 2008-2014 Housing Element assumes that development will occur consistent with the adopted growth forecast, the Regional Housing Needs Plan, and the Land Use Element of the General Plan, it would not cause an increase in greenhouse gas emissions. Individual housing projects anticipated in the Housing Element will undergo project-level review as part of the development review process. No impacts will occur and no mitigation measures are necessary in connection with this Housing Element Update.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**VIII. HAZARDS AND HAZARDOUS MATERIALS.** *Would the project:*

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X

Impact Discussion (a-c): Hazardous materials are routinely used and transported on major highways traversing the City. Potential impacts related to the transport and exposure of people to hazardous materials will be analyzed as part of site-specific development proposals, and mitigation measures will be imposed where appropriate. No new impacts would occur as a result of this Housing Element Update that were not previously analyzed, and no mitigation measures are necessary at this time.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
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Impact Discussion (d): Hazardous materials sites could exist in future development areas due to prior agricultural use and other activities. Potential impacts associated with any such hazardous materials will be analyzed as part of each development proposal prior to construction. No new impacts would occur as a result of this Housing Element Update, and no mitigation measures are necessary at this time.

e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X

Impact Discussion (e-f): Lake Forest is not located within two miles of an airport or airstrip, therefore no impacts related to airports or airstrips would occur and no mitigation measures are necessary.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
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Impact Discussion (g): As part of the City's planning and development review process, future projects will be evaluated to determine whether any impacts to emergency response or evacuation plans could occur and

appropriate corrective measures will be required. No impacts would occur as a result of the Housing Element Update, and no mitigation measures are necessary at this time.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
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Impact Discussion (h): Open land surrounding the City could expose residents and structures to wildland fire hazards. However, the land uses anticipated in the Housing Element are consistent with the current General Plan, therefore no new impacts would occur that were not previously analyzed, and no mitigation measures are necessary in connection with this Housing Element Update.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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#### IX. HYDROLOGY AND WATER QUALITY. *Would the project:*

a) Violate any water quality standards or waste discharge requirements?				X
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Impact Discussion (a): All future developments will be required to comply with applicable federal, state and local water quality requirements such as the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES) program. Additionally, through the City's development review process, future projects will be evaluated for potential site-specific water quality and flooding impacts. Development projects will be required to prepare water quality plans and/or incorporate "Best Management Practices" (BMPs) into their construction operations to reduce erosion, siltation and water pollution both during and after construction. No new impacts would occur and no mitigation measures are necessary in connection with this Housing Element Update.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
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Impact Discussion (b): Development consistent with Housing Element assumptions would result in increased water consumption and the potential for an increased amount of impervious surfaces and the potential to decrease groundwater recharge. These potential impacts related to groundwater supplies and recharge will be analyzed as part of the planning and development review process for future projects. Since the Housing Element would not alter the development patterns described in the Land Use Element, no new impacts would occur that were not previously analyzed, and no mitigation measures are necessary in connection with this Housing Element Update.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

Impact Discussion (c-i): Future residential developments could result in modification of existing drainage patterns through grading and construction of homes, streets and other facilities. Prior to development of any new projects, potential impacts related to alteration of drainage patterns and flood hazards will be analyzed and appropriate conditions will be required. In addition, existing policies require the provision of adequate storm water drainage facilities and prevent residential development within 100-year floodplains. Since the Housing Element would not alter the development patterns described in the Land Use Element, no new impacts would occur and no mitigation measures are necessary in connection with this Housing Element Update.

j) Inundation by seiche, tsunami, or mudflow?				X
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Impact Discussion (j): There are no large bodies of water within the vicinity of the project site that could cause inundation by seiche, tsunami, or mudflow. In addition, the Housing Element would not alter the development patterns described in the Land Use Element and no impacts would occur and no mitigation measures are necessary in connection with this Housing Element Update.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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#### **X. LAND USE AND PLANNING.** *Would the project:*

a) Physically divide an established community?				X
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Impact Discussion (a): Future residential development as anticipated in the Housing Element update would be consistent with the land use patterns established in the Land Use Element of the General Plan. As such, the Housing Element would not have the potential to divide an existing community. No mitigation measures are necessary.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
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Impact Discussion (b): New residential development will be required to comply with all applicable plans and regulations, including the General Plan, planned community regulations, and zoning. Revisions to the Zoning Code regarding development standards and procedures for emergency shelters, transitional/supportive housing, and SRO housing are proposed in the Housing Element. While no potentially significant impacts are anticipated as a result of those proposed changes, they will be subject to public review and environmental analysis as part of the Code amendment process prior to adoption. In addition, prior to development of any new housing project, CEQA documentation will be prepared to evaluate the project's conformance with applicable policies and regulations. Potential impacts of this Housing Element Update, if any, would be less than significant and no mitigation measures are necessary at this time.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
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Impact Discussion (c): The City of Lake Forest is a signatory to the local Habitat Conservation Plan/Natural Community Conservation Plan (NCCP/HCP) applicable to the project area. Any future development will comply with the provisions of the adopted plan. No impacts would occur and no mitigation measures are necessary in connection with this Housing Element Update.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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#### **XI. MINERAL RESOURCES.** *Would the project:*

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Impact Discussion (a-b): The Housing Element Update assumes development patterns consistent with the Land Use Element. No residential development is proposed in areas with locally- or state-designated mineral resources. Therefore, the Housing Element Update would have no effect on mineral resources.



ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**XII. NOISE.** *Would the project result in:*

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X

Impact Discussion (a-d): Future residential developments would be expected to result in short-term construction-related noise impacts, including groundborne vibration that could exceed established standards. Required compliance with the City's noise regulations and restrictions on construction hours will help to mitigate these impacts. Development could also be expected to result in an incremental increase in long-term noise levels from increased vehicular traffic as well as new stationary sources of noise. As part of the planning and development review process, projects will be subject to site-specific analysis of potential noise impacts and any appropriate mitigation measures will be imposed at that time. The Housing Element Update would not grant development entitlements nor alter development patterns shown in the Land Use Element, and therefore would not result in new noise impacts; therefore, no mitigation measures are necessary in connection with this Housing Element Update.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Impact Discussion (e-f): No airports are located in or near the City, therefore no impacts would occur and no mitigation measures are necessary in connection with this Housing Element Update.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**XIII. POPULATION AND HOUSING.** *Would the project:*

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
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Impact Discussion (a): The Housing Element identifies the need for 29 new housing units in Lake Forest during the planning period, consistent with the adopted Regional Housing Needs Plan. This new residential



development anticipated in the Housing Element would result in population growth consistent with the General Plan and the regional growth forecast. The expected population resulting from 29 new homes would be approximately 85 persons; less than one percent of the City's current population of 78,000. This increase in population is not considered substantial. Therefore, no impacts would result from adoption of the Housing Element Update and no mitigation measures are necessary at this time.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	

Impact Discussion (b-c): It is expected that most new residential development would occur on vacant land and therefore would not displace existing houses or people. One potential location for new housing identified in the Housing Element involves redevelopment or additional development on a developed apartment site. It is anticipated that future development on this site would result in a net increase in the number of housing units. Accordingly, displacement of a substantial number of housing units or population is not anticipated. No new significant impacts would result from the Housing Element Update, and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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#### XIV. PUBLIC SERVICES.

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?				X
ii) Police protection?				X
iii) Schools?				X
iv) Parks?				X
v) Other public facilities?				X

Impact Discussion (a): New residential development could be expected to increase the demand for public services. As part of the planning and development review process, all new developments will be evaluated to determine the level of demand for public services and appropriate measures will be implemented to ensure that adequate service levels are maintained. Since the Housing Element assumes the same level of development described in the Land Use Element, no new impacts would result from adoption of the Housing Element Update and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**XV. RECREATION.**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Impact Discussion (a-b): New residential development would be expected to increase the demand for parks and recreation facilities. As part of the planning and development review process, all new developments will be evaluated to determine the level of demand for recreational facilities and appropriate mitigation measures will be imposed to ensure that adequate service levels are maintained. Quimby Act park fees that all new residential developments are required to pay are used to acquire and/or improve park facilities, which helps to mitigate the impact of additional residents. Since the Housing Element assumes the same level of development described in the Land Use Element, no new significant impacts would result from adoption of the Housing Element Update and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**XVI. TRANSPORTATION / TRAFFIC.** *Would the project:*

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding mass transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

Impact Discussion (a-f): As part of the planning and development review process, all new developments will be evaluated to determine the extent of traffic impacts relative to road capacity, design, emergency access and parking, and appropriate mitigation measures will be imposed to ensure that safe design standards and adequate service levels are maintained. Approval of the Housing Element Update would not grant development entitlements nor alter development patterns as shown in the adopted Land Use Element. Therefore, no new impacts would result and no mitigation measures are necessary at this time.

ISSUES	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**XVII. UTILITIES AND SERVICE SYSTEMS.** *Would the project:*

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Impact Discussion (a-g): New residential development anticipated in the Housing Element could be expected to increase the demand for utilities and service systems, including water, wastewater treatment, storm water drainage, and solid waste disposal, however this demand would not be expected to exceed that anticipated in the General Plan. As part of the planning and development review process, all new developments will be evaluated to determine the level of demand for these facilities and appropriate mitigation measures will be imposed to ensure that adequate service levels are maintained. Approval of the Housing Element Update would not grant development entitlements nor alter development patterns as shown in the adopted Land Use Element. Therefore, no new impacts would result and no mitigation measures are necessary at this time.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.**

a) Does the project have the potential to degrade the quality of the			X	
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environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
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Impact Discussion (a): Under state law, each City is required to prepare a Housing Element that, among other things, identifies how the jurisdiction's fair share of regional housing growth needs will be accommodated. Lake Forest's fair share of new housing need, as established by the Regional Housing Needs Assessment, is 29 additional units for the planning period. However, the Housing Element would not convey any development entitlements nor change any existing General Plan land use or zoning designations that regulate future projects. While new residential developments anticipated in the Housing Element update could potentially have significant adverse impacts on the environment, analysis of such impacts at this time, in the absence of specific development proposals would be speculative. Accordingly, as part of the City's planning and development review process, specific project proposals will be evaluated prior to approval and appropriate conditions and measures will be required to mitigate any potential impacts as required by CEQA.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
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Impact Discussion (b): As noted above, the Housing Element identifies a need for 29 additional residential units in Lake Forest during the planning period and includes commitments to amend zoning regulations regarding some types of special needs housing such as emergency shelters, transitional/supportive housing, and SRO housing. However, these program commitments do not convey any development entitlements nor identify the specific size or configuration of any particular project. While the new residential development anticipated in the Housing Element update could have significant adverse impacts on the environment, including cumulative impacts, such impacts would not be expected to exceed those analyzed in the General Plan EIRs. As part of the City's planning and development review process, future projects will be evaluated prior to approval and appropriate conditions will be required to mitigate any potential cumulative impacts.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X
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Impact Discussion (c): The Housing Element is a policy document that does not convey development entitlements for any specific sites or projects. As a result, any potential impacts cannot be fairly evaluated until specific development proposals are presented to the City for review. Accordingly, as part of the City's planning and development review process, each project will be evaluated prior to construction and appropriate conditions and measures will be required to mitigate any potential impacts. No direct or indirect impacts would occur as a result of adoption of the Housing Element Update.

## **D. LIST OF PREPARERS**

### **Lead Agency:**

City of Lake Forest	Cheryl Kuta, AICP	Planning Manager
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### **Environmental Consultant:**

J.H. Douglas & Associates	John Douglas, AICP	Principal
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## **E. REFERENCES**

Lake Forest 2008-2014 Housing Element  
Lake Forest General Plan 2001, as amended in 2008  
Lake Forest General Plan Final EIR, 2001  
Lake Forest Opportunities Study Program EIR, 2008  
Lake Forest Municipal Code

The documents cited above are available for review at City Hall.

## APPENDIX A

### COMMENTS AND RESPONSES

The Initial Study and Negative Declaration (IS/ND) were circulated for a 30 day public review period from May 26, 2010 to June 28, 2010. The document was submitted to the State Clearinghouse on May 27, 2010. During the public review period, a total of nineteen (19) comment letters and/or e-mails were received; one from Caltrans and eighteen (18) from members of the public. The following lists the names and affiliations of the commentors. Copies of the letters received are included on the following pages. Table A-2 below addresses the comments as they relate to the environmental analysis in the IS/ND. In addition, a letter to the residents expressing general concerns about issues with the Draft 2008-2014 Housing Element and the Portola Center Project is provided.

**Table A-1**  
**List of Comment Letters Received**

<b>Letter</b>	<b>Name</b>	<b>Affiliation</b>
A	Renee Allen	Resident
B	Alesha Doherty	Resident
C	Laura Torres DeLaCruz	Resident
D	Barb Dunkle	Resident
E	Jinx Hydeman (2 letters)	Resident
F	Stephanie Lynch (2 letters)	Resident
G	Cindy Miller	Resident
H	Claire McGirr	Resident
I	Ian Morrell	Resident
J	Stuart Moss	Resident
K	Marty Neuville	Resident
L	Tom Randel	Resident
M	Marlon Regisford/Christopher Herre	Caltrans
N	Caroline Salaya	Resident
O	Brett Souza	Resident
P	Michael Strachan	Resident
Q	Marc and Christina Stone	Resident
R	Elizabeth Wallace	Resident
S	Richard Yonis	Resident

**From:** [mnrallen@aol.com](mailto:mnrallen@aol.com)  
**To:** [Kuta, Cheryl;](#)  
**CC:**  
**Subject:** Portola Hills  
**Date:** Sunday, June 06, 2010 8:04:02 PM  
**Attachments:**

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Dear Ms. Kuta,

I am opposed to the affordable housing and addition units that are under consideration in the Portola Hills community. This community cannot handle the traffic and extended population that this build will bring. As it is, we have no public bussing transportation and the public schools no longer offer busses to our designated High School and possibly middle schools. There is no grocery store, drug store or medical care facility within acceptable walking distance from this community not to mention the grade of our hills. The elementary school is already on shaky ground and we are not impressed with the developers who build most of the homes up here as it is. Please look into other areas of "Lake Forest" for your new community. We bought into this unincorporated area 17 years ago and do not want your annexation of our property boundaries to become part of your low income agenda for Portola Hills.

Sincerely,

Renee Allen, homeowner



**Kuta, Cheryl**

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**From:** Alesha Doherty [seanandalesha@sbcglobal.net]  
**Sent:** Friday, June 25, 2010 9:21 PM  
**To:** Kuta, Cheryl  
**Subject:** City of Lake Forest - Portola Center Development  
**Attachments:** City of Lake Forest - Portola Center Development.docx

Please accept this as my final letter. I had omitted the cc:s in the previous version.

Many thanks,

Alesha Doherty

June 25, 2010

City of Lake Forest Development Services Department

Attn: Cheryl Kuta, Planning Manager

25550 Commercentre Dr., Suite 100

Lake Forest, CA 92630

Correspondence sent via email to: ckuta@lakeforestca.gov

Attention: Planning Commission Chairperson Tim Hughes

Planning Commission Vice Chairperson Jerry Zechmeister

Planning Commissioner Terry Anderson

Planning Commissioner David Carter

Planning Commissioner Jerry Verplancke

Cc: Ms. Gayle Ackerman, Director of Development Services,

gackerman@lakeforestca.gov

**Re: Notification of Public Review Period for Initial Study on  
Proposed City of Lake Forest 2008-2014 Housing Element  
Update**

Dear Ms. Kuta:

I would like to submit to you some comments regarding the City of Lake Forest 2008-2014 Housing Element. First I would like to give you a brief background:

My husband and I are residents of the Portola Hills community within Lake Forest. Prior to my family's current residence in Portola Hills, we were residents of Lake Forest zip code area 92630. We love living in Lake Forest and appreciate the community services you offer to our residents. Our family attends the annual Snowfest, we go to the

concerts in the park, and my children have been a part of the classes you offer.

It is also important to know that I am personally not opposed to growth and development. I understand its necessity and I realize that the Shea/Baker land currently set aside for development in Portola Hills will move forward with some form of development.

A final bit of background is that there was a time in my life when I lived in low-income housing. The low-income housing community was built, managed, and planned beautifully and it met a need I had at that point in my life. With that perspective, I feel qualified to raise a couple of issues that are contained within the City of Lake Forest 2008-2014 Housing Element Update.

It is evident that the Housing Element plans to place the majority of the low and very low income housing in the Portola Hills development project. As referenced above, I am not opposed to low income housing. However, I have to greatly question the logical sense of the placement. In my experience living in low income housing, the community was located off of a major street, with excellent access to public transportation, and was also in walking distance of grocery stores, the post office, the freeway, services, and other basic amenities. While I did have a car at the time, I walked and carpooled often to conserve gas. Portola Hills is not in close proximity to much! There are no public transportation options and even school buses have been eliminated entirely through the Saddleback Valley Unified School District (SVUSD). While the elementary school is close, the Junior High School (Serrano) and the High School (El Toro) are not. This year the SVUSD conducted a study to determine which areas would have access to which schools and it was determined that children in the Portola Hills community would not be able to choice into Trabuco Hills High School,

the closest high school in the area. The freeway is not close by and to assume that someone eligible for low income housing is able to either pay high gas prices for further access to the freeway or to pay for the toll road isn't logical.

My second issue pertains to the density of proposed housing units. The Shea plan for approximately 2,500 new units adds an enormous amount of population, traffic congestion, and a huge burden to Portola Hills Elementary which is already experiencing need for improvement. A higher density neighborhood entirely changes where we live – through traffic, school and park useage, and inevitably in public safety issues. In the spirit of recognizing that development is inevitable, I would like to request that the density issue be reconsidered. I would suggest that the density be equal to what currently exists within the Portola Hills community or that you would consider a mixed use development for this area.

Thank you for taking the time to hear my concerns. I trust that you will take these items into considerations as you move forward with the plans for Portola Center.

Sincerely,

Alesha Doherty  
19265 Sleeping Oak Dr.  
Trabuco Canyon, CA 92679  
949-858-6753  
Email: seanandalesha@sbcglobal.net

06/16/2010

Planning Department  
City of Lake Forest  
City Hall 25550 Commercentre Drive  
Suite 100  
Lake Forest, CA 92630

RE: COMMENTS ON THE 2008-2014 HOUSING ELEMENT UPDATE

Dear Sir or Madam:

I am writing regarding the above referenced report that is posted on the city website. I was reviewing the report and I want to comment on the contents with regards to the Portola Center, which will include 900+ new housing units and a commercial center. I am a resident of Portola Hills and I don't believe that the Housing Element Update addresses the following issues:

1. The traffic situation created by building 900+ dwelling units. There is already a lot of traffic on the corner of Glen Ranch and Saddleback during common traffic hours and the Portola Center project would only add to traffic. Assuming that each household has 1-2 cars, the overall number of cars in such a small section would further increase traffic problems.
2. Overcrowded schools is another concern, because we know that the new residents will have families and children. We have a small elementary school in Portola Hills and there isn't a middle school near by. We currently have great schools, but increasing the population in the area by such a large number of people would overcrowd our schools. It is common knowledge that school performance is tied to property values, which means that this would negatively impact home values for people that live near the proposed development site.

Based on the above, I strongly urge the city to prepare an Environmental Impact Report (EIR) to address these concerns and other relevant issues. Furthermore, if the city must build the Portola Center to address housing needs, I strongly urge the city to consider building fewer units at Portola Center.

Sincerely,

Laura Torres De La Cruz  
Home Owner in Lake Forest, CA  
28371 Boulder Drive  
Lake Forest, CA 92679  
(760) 218-0156

**Kuta, Cheryl**

---

**From:** Barb [bdunkle1@cox.net]  
**Sent:** Tuesday, June 08, 2010 9:16 PM  
**To:** Kuta, Cheryl  
**Subject:** Portola Hills

Hi Cheryl,

I have lived in Portola Hills for 9 years and have enjoyed being just a little bit sheltered from the downfall of our country and our state. By adding so much low income housing to this area, you may as well set it on fire. By bringing low income housing to the area is just another reason why tax paying citizens leave California. The property values will decrease and the lifestyle will disintegrate. It's been proven over and over that low income housing brings down a neighborhood. I'm tired of politicians giving in to people that haven't worked hard and etched out a decent living for themselves while the rest of us pay for it. No one knows or cares about how difficult our lives were and how much we had to do to get where we are.

Besides all of that, what about the parking? What about sufficient roads to handle the increased traffic? What about public transportation that low income housing individuals usually rely on? What about the increased police force and fire department? Who is going to be responsible to clean up the graffiti?

We're all tired of the destruction of the country due to the influx of illegals, the welfare handouts to anchor babies, the welfare handouts and low income housing to people so wrapped up in themselves that they don't take responsibility for anything. These people just take; and the more they can get the harder they laugh at the rest of us. We want our country back. And, I want Portola Hills to remain a quiet and peaceful living area that is relatively safe from the riff-raff by being a bit further from it. Please don't bring it to our doorstep.

Respectfully,

Barb

**From:** Jinx Hydeman  
**To:** Kuta, Cheryl;  
**CC:**  
**Subject:** Portola center  
**Date:** Friday, June 04, 2010 2:20:25 PM  
**Attachments:**

---

Hi,

I am writing to you because I am concerned the Portola Center. The City's Housing Elements update for 2008-2014 will not work for our community. Problems with Portola Center's affordable housing plan include concentrating all of the City's proposed affordable housing units in one location where there is a lack of public services. This includes a lack of bus service to school and work, and the inability to reach basic services, such as food, without access to public transportation.

This is a wonderful place to live in Orange County but there is no way for people to get around unless they have their own transportation. I love living here and hope that you will work with the community to make this work for all.

Thank you,  
Jinx Hydeman

<http://www.ovarianoc.org/index2.html>

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus signature database 5173 (20100604) \_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

**Kuta, Cheryl**

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**From:** Jinx Hydeman [jhx.creativeecho@cox.net]  
**Sent:** Saturday, June 26, 2010 4:19 PM  
**To:** Kuta, Cheryl  
**Cc:** Ackerman, Gayle  
**Subject:** Reference:Comments on the 2008 -- 2010 Housing Element update

Dear Planning Commissioners:

This letter is to provide public comment on the draft update to the Lake Forest 2008 -- 2010 Housing Element.

In review of the draft document, I have the following observations regarding: 1) Chapter II: Housing Needs Assessment, 2) Chapter III: Resources and Opportunities, 3) Chapter IV: Constraints, 4) Chapter V: Housing Action Plan, and 5) Appendix B: Land Inventory.

#### Chapter II: Housing Needs Assessment

The Tables and Discussion presented under Section II is flawed, as it does not accurately state the statistics for the City of Lake Forest.

The data presented in Section II is based on the 2000 Census Data for Lake Forest, which is primarily limited to the 92630 zip code and does not include data for the separate Census Designated Places (CDP) of Foothill Ranch, and Portola Hills.

The tables and discussion presented under Paragraphs A1 Growth Trends, A2 Age, A3 Race/Ethnicity, B1 Household Composition and Size, B2 Housing Tenure, B3 Overcrowding, B4 Household Income, B5 Overpayment, C1 Current Employment, C3 Jobs-Housing Balance, D2 Housing Age and Conditions, D3 Vacancy, E1 Persons with Disabilities, E2 Elderly, E3 Large Households, E4 Female-Headed Households, and E5 Farm Workers use only the "92630" data, and therefore misrepresented as the City of Lake Forest. To illustrate this, Table II-3 Race/Ethnicity states that Lake Forest has a population of 58,707. This is the population of the 92630 area. To properly reflect the population used in generating this table, the 2000 Census Populations of Foothill Ranch (10,899) and Portola Hills (6,391) should be included. This would result in a 29.4% increase in population to 75,997.

The introduction to this section states: "The housing Needs Assessment utilizes the most recent data from the 2000 U.S. Census..." As such, the data is used for this update of the Housing Element should properly and accurately reflect the general population and household characteristics and trends of the ENTIRE city, and not be limited to only a portion of the city.

The tables and discussion under Paragraphs D4b Housing Cost -- For-Sale Housing, D4c Housing Cost -- Rental Housing rely on DataQuick as a data source. DataQuick also defines Lake Forest as the 92630 zip code.

#### Chapter III: Resources and Opportunities

Paragraph A1 (p. III-1): Regional Growth Needs 2006-2014:

The Foothill Ranch CDP and Portola Hills CDP are required to be included under the Lake Forest City jurisdiction.

The reference to the RHNA allocation states "...based on the 2000 Census income distribution within each jurisdiction....." Given the flaws revealed under Section II: Housing Needs Assessment, this section should discuss and clarify the inclusion of the Foothill Ranch CDP and Portola Hills CDP.



Paragraph A2 (p. III-2): Inventory of Sites for Housing Development:

A detailed analysis of potential development opportunities should include the large Shea/Baker site of the Opportunities Study.

The Shea/Baker site represents the most significant opportunity for new housing (approximately 2,500 units) in the City of Lake Forest. It should be included in the Housing Element update. Arguments that the Shea/Baker site is not included in the Housing Element Update as it is not zoned for that land use at the time the Housing Element update is not realistic. The Lake Forest Planning Commission on June 10, 2010 passed resolutions recommending that the City Council adopt the General Plan Amendment, Zone Change, PEIR Addendum, and Development Agreement for the Shea/Baker Site. It is anticipated that the City Council will shortly adopt those recommendations. If inclusion of the Shea/Baker site is predicated on current zoning, then the Housing Element Update should be delayed until the City Council adopts the Planning Commission's recommendations that change the site's zoning and therefore become eligible for inclusion.

Chapter IV: Constraints

Paragraph A1e (p. IV-8): Governmental Constraints -- Land Use Plans and Regulations -- Off-street Parking Requirements:

The city should include under the applicable Goals, Policies, and Housing Element Programs of Section V: Housing Action Plan of this Housing Element update to ensure, facilitate, evaluate, and encourage adequate local access by the residents of this type of housing to public transportation.

Justification for the ability to grant reduced parking for senior and other affordable housing is based on an assumption that "It is widely accepted that seniors and low-income households have fewer cars on average than higher-income households." (p.IV-8) Assuming that this is true, one can also assume that public transportation is more important in areas used for this housing type.

Paragraph A1f (p. IV-8): Governmental Constraints -- Land Use Plans and Regulations -- Second Units

Given that most residences in Lake Forest are under the jurisdiction of a Home Owner's Association (HOA), this paragraph should discuss the whether the Lake Forest Municipal Code allowing second units preempts HOA restrictions prohibiting second unit construction or conversion to "R2" use.

This paragraph states: "In response to state-mandated requirements and local needs, the City of Lake Forest allows for the development of second dwelling units by right.....in any residential district with an existing single-family residence on-site." (p. IV8-9)

Paragraph A1g (p. IV-9): Governmental Constraints -- Land Use Plans and Regulations -- Density Bonus

This paragraph should discuss inclusion of "Bonus Density" calculations in subsequent review and approval of specific tract maps, etc. submitted for approval by a developer in future submittals for the city. If future tract maps, etc are approved with specific unit counts, the tract maps should reflect the "potential" for increased unit counts if the developer decides to include future affordable housing.

Paragraph B2b (p. IV-13): Governmental Constraints -- Development Processing Procedures -- Environmental Review

This paragraph should include the discussion of when and if a Negative Declaration can be used in lieu of a Project Level EIR on a large project that was previously studied under a Program Level EIR.

If such, it should further discuss that in the case of a Negative Declaration, all EIR responses to comments previously deferred to the Project Level EIR will be addressed as part of the Negative Declaration process.

Chapter V: Housing Action Plan

Paragraph B1, Program 1 (p. V-3): Housing Programs -- Land Use Entitlements

The Shea/Baker Site needs to be included under this Paragraph and its Program Actions through June 30, 2014.

The current language refers back to Chapter III, and Appendix B, which does not include the Shea/Baker site as part of the Opportunities Study. As stated in my discussion under Chapter III: Resources and Opportunities, Paragraph A1 (p. III-1): Regional Growth Needs 2006-2014, the Shea/Baker site represents the most significant opportunity for new housing (approximately 2,500 units) in the City of Lake Forest and IS a major part of the Opportunities Study.

Paragraph B1, Program 6 (p. V-6): Housing Programs -- Second Units

The Program Actions through June 30, 2014 should discuss whether the Lake Forest Municipal Code allowing second units preempts HOA restrictions prohibiting second unit construction or conversion to "R2" use. Please refer to my discussion under Paragraph A1f (p. IV-8): Governmental Constraints -- Land Use Plans and Regulations -- Second Units, above.

Appendix B: Land Inventory

Opportunity Study Area (p. b-5):

The large Shea/Baker site of the Opportunities Study needs to be included in this section as it presents the opportunity for approximately 213 affordable housing units (2,500 units multiplied by minimum threshold of 8.5%, p.B-6).

The Shea/Baker site represents the most significant opportunity for new housing (approximately 2,500 units) in the City of Lake Forest. It should be included in the Housing Element update. Arguments that the Shea/Baker site is not included in the Housing Element Update as it is not zoned for that land use at the time the Housing Element update is not realistic. The Lake Forest Planning Commission on June 10, 2010 passed resolutions recommending that the City Council adopt the General Plan Amendment, Zone Change, PEIR Addendum, and Development Agreement for the Shea/Baker Site. It is anticipated that the City Council will shortly adopt those recommendations. If inclusion of the Shea/Baker site is predicated on current zoning, then the Housing Element Update should be delayed until the City Council adopts the Planning Commission's recommendations that change the site's zoning and therefore become eligible for inclusion.

This section also states that: "a minimum of 79 affordable units.....are required on the Portola Center Property." It appears that this Housing Element Update purposely allows an exorbitant amount of affordable housing on this one site, requires other smaller sites (Pinnacle and Whisler) to pay a fee in-lieu of providing affordable units, and exempts the largest site (Shea/Baker) of the Opportunities Study by way of exclusion from this Housing Element Update. If Shea/Baker is required to provide 6 acres (as covered under the proposed developer agreement) to the City of Lake Forest for affordable housing use, it should be discussed in this section.

Thank you for the opportunity to submit my comments on the Housing Element Update. If you require any additional information, please do not hesitate to contact me at 949-598-1780 (work), 949-858-0445 (home), or 949-246-1601 (cell).

Sincerely,  
Jinx Hydeman

<http://www.ovarianoc.org/index2.html>

Information from ESET NOD32 Antivirus, version of virus signature database 5230  
(20100625)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

**From:** lynchfamily  
**To:** Kuta, Cheryl;  
**CC:**  
**Subject:** Portola Hills Housing  
**Date:** Monday, June 07, 2010 1:22:15 PM  
**Attachments:**

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Dear Ms. Kuta-

I am writing to notify you of my feelings regarding the proposed housing to be built in Portola Hills.

It is my understanding that the city is being pressured to build double the number of "affordable houses" than is required by law. I hope that the city does not bend to this pressure and only allows the number that is required, 29.

As our neighborhood representative has already pointed out, there are no services (grocery stores, etc) available within the neighborhood to support families that may have no transportation. You should also take into consideration that the housing values in Portola Hills are relatively high and thus provide a good tax base for the city. Putting an increased number of low income housing in the area would cause housing values to diminish and therefore reduce the city's tax base.

When Lake Forest incorporated Portola Hills and Foothill Ranch into the city there were many promises made to the residents of Portola on how it would be beneficial to us. With the exception of weekly street sweeping I have seen no additional benefit. Nothing has been done to improve the entrance areas to our neighborhood, I don't see any additional police presence, etc. We seem to be the stepchild of the city, though we supply the city with what is likely a lot of tax revenue, it appears it is spent improving the part of the city that is furthest from us, El Toro Road near the 5 freeway.

I would really appreciate if the city would actually consider our input for a change and resist putting in more housing than is actually required.

Thank you,  
Stephanie Lynch

**Kuta, Cheryl**

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**From:** lynchfamily [lynchmail@cox.net]  
**Sent:** Monday, June 21, 2010 3:14 PM  
**To:** Kuta, Cheryl  
**Subject:** More comments regarding Portola Hills Development

Dear Cheryl:

I have read a copy of the letter that was sent by Elizabeth Wallace regarding the development of the Portola Hills build out plan and would like to add comments.

I know that Ms. Wallace has been following the development plan over the last few years and is very informed about what is going on so I trust that the information she has highlighted is accurate. Ms. Wallace is a resident of Portola Hills and has done well representing our interests.

I strongly urge the council to review the comments that Ms. Wallace made regarding the studies that were done some time ago. Much of the information included in the study is outdated and not valid, which would then call into question any decisions about development that were based on the studies. I also urge you to re-consider the plan to incorporate more low and very low housing than is currently required by law. The area of Portola Hills likely has some of the highest property values in all of Lake Forest and any development should be kept in line with what is currently in the area. Ms. Wallace also points out the problems regarding transportation, retail accessibility, etc., all of which is very valid. As she also notes, there is an alternative option for building this housing in an area that is more suitable AND where the current landowner is requesting that it be built.

As I have stated in previous letters, I feel that the residents of Portola Hills have been treated like "step-children" by the officials that serve us. We get very little back for the taxes that we pay. When we became part of Lake Forest we were told that the entrance to our neighborhoods would be updated and as of yet nothing has been done. With the exception of the city placing sandbags around the slope areas at Glen Ranch and Saddleback, (which become a walking hazard because they always tear open and cover the sidewalks) nothing has been done to improve this area. We get street sweeping, but since the city has no parking enforcement on the designated days my street rarely gets swept. Our children are sent to middle and high schools that are not the most local, something our elected school board officials designated. I am really tired of being a second class citizen of Lake Forest and I hope that you will sincerely consider the information that Ms. Wallace has developed and do what is right for the Portola Hills residents.

Thank you,  
Stephanie Lynch

**From:** Cindy Miller  
**To:** Kuta, Cheryl;  
**CC:**  
**Subject:** Proposed construction in Portola Hills  
**Date:** Friday, June 04, 2010 5:10:50 PM  
**Attachments:**

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Dear Ms. Kuta,

I am a resident of Portola Hills and I have recently discovered that the City of Lake Forest is planning on having ALL the city's proposed affordable housing units constructed in the next phase of development in Portola Hills. Please understand that although we love living in Portola Hills, it is in effect a difficult place to access. There is no public transportation to our area, and the Saddleback Valley School District has significantly curtailed school bus service to the area, and may continue cutting service if budget cuts continue. We have been able to deal with this inconvenience by buying our children a car to get to school. We rely on our own cars to get to work, all types of shopping (food stores, drug stores, etc.) Because the development is on a very large hill, bike riding as a form of transportation is not feasible, and walking up this hill is a challenge. Due to the lack of public services in our neighborhood, the City's Housing Development Update will NOT work for our community.

Please, come see for yourself. I invite you to walk our neighborhood anytime. I would be happy to show the challenges which exist just getting up to our community. We could meet at Starbucks at Glen Ranch and walk from there. Also, the significant distances to both the intermediate school and high school (Serrano and El Toro), also add to the unsuitability making Portola Hills the main site for new affordable housing. I look forward to hearing from you.

Thank you for your time.

Cindy Sasse Miller

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July 13, 2010

RECEIVED

JUL 20 2010

City of Lake Forest Development Services Department  
Attn: Cheryl Kuta, Planning Manager  
25550 Commercentre Dr., Suite 100  
Lake Forest, CA 92630

CITY OF LAKE FOREST  
DEVELOPMENT SERVICES DEPT

Re: Notification of Public Review Period for Initial Study on Proposed City of Lake Forest 2008-2014 Housing Element Update

Dear Ms. Kuta:

I have read the City of Lake Forest 2008-2014 Housing Element Update and I have the following comments:

A. Chapter II of the Housing Element states: *"Total employment in Orange County is expected to grow by 18 percent between 2004 and 2014. The overall growth is expected to add 287,400 new jobs and bring the employment of Orange County to almost 1,887,000 by 2014."* (page II-9). The source for this projection is the California Employment Development Department March 2005 Benchmark.

The job growth projection is outdated and relies on information provided before the current recession. Current job growth estimations are hugely overestimated and therefore the Housing Element Update contains false information and should be revised.

According to the A. Gary Anderson Center for Economic Research data released by the Chapman University Economic Forecast Update for the U.S., California and Orange County dated June 26, 2007, job growth in Orange County in 2006 was 1.1 percent which translates into 16,400 net new jobs for Orange County. Job growth for 2007 was projected to be 1.2 percent, and 1.1 percent for 2008. Most new jobs were projected to occur in the services sector. The Housing Element Update should not deceive policy makers by relying on inaccurate, outdated information.

B. Chapter II also states on page II-11: *"According to OCP 2006, the City is anticipated to add over 26,000 jobs and 125 additional housing units between 2005 and 2035. Based on these projections, the anticipated jobs-housing ratio in 2035 would be 2.2 jobs per housing unit. (OCP 2006 was adopted prior to the City's adoption of the General Plan Amendment and Zone Change for the Opportunities Study Area)."*

This conclusion should be stricken from the Housing Element Update because it is inaccurate and misleading. The Opportunities Study has approved more than 1,000 units for development as of August 2008, and as of June 2010, the City of Lake Forest Planning Commission recommended approval to the City Council of 2,800 additional new units to be built at the Shea site off of Bake Parkway.

C. Page II-15 states: *"Housing vacancy rates as reported in the 2000 Census are shown in Table II-17...The rate of for sale housing was similar to the County at .9 percent. Rental vacancy rates in the 2 percent range indicated nearly full occupancy, and contribute to upward pressure on rents."*

This conclusion is invalid and misleading due to the recession. The Housing Element Update should reflect CURRENT foreclosure and rental conditions due to the ongoing recession. Policy makers cannot make informed decisions using outdated information.

D. Chapter 3 Table III-2 Residential Land Inventory 2006-2014 lists Portola Center, IRWD, Pinnacle, Whisler and Summit Crest but not the Shea site. Shea should be included in this land inventory listing especially since your Notes state: *"Opportunity Study Area new units are estimated based on preliminary development plans."* (Page III-3) The Shea plan for 2,800 new units in Lake Forest must be included

because the development is beyond the preliminary stage due to the June 2010 recommendation of approval by the Lake Forest Planning Commission.

E. Chapter 4 Constraints lists the LPMC Sec. 9.18.4.040.E General Welfare: *"The application will not result in conditions or circumstances contrary to public health and safety and the general welfare."* (Page IV-2) Requiring 52 very low- and low-income units in Portola Center will create conditions that are contrary to public health and safety of the new very-low and low income residents because Portola Center is an isolated development that has no access to public transportation, child care, junior high or high school transportation.

F. Chapter Five lists Policies and Goals for the Housing Element. Page V-1 lists Goal 1.6: *"Encourage the development of new housing units in close proximity to public transportation and community services."*

Below is a recordation of mileage from Portola Center to community services:

6 miles to Serrano Intermediate School  
5.5 miles to El Toro High School  
2.5 miles to the nearest grocery store, Ralphs, Foothill Ranch, CA  
7.5 miles to the 5 freeway  
7.5 miles to the central bus station  
3 miles to Kindercare Learning Center in Foothill Ranch, CA  
3 miles to Walmart in Foothill Ranch, CA

The Saddleback Unified School District has discontinued bus service due to budget problems. There is no public transportation for Portola Center. Portola Center is not close to a freeway. Driving on the toll road currently costs \$2.75 one way to Irvine, California. Portola Center is located approximately 1,000 feet above sea level and thus cars must use more gas climbing the steep hills to the development. All necessary services and jobs are significantly below this very steep location.

Very low- and low-income residents will experience financial difficulty simply paying for transportation to basic services. Portola Center is an isolated development surrounded by open space and violates City Goal 1.6.

G. Page V-4 states: Pursuant to State density bonus law, *developers who agree to provide affordable units in a development must be granted a density bonus of up to 35 percent or other incentives of equivalent financial value to facilitate such developments."*

This statement is contrary to Goal 1.4 which states that the City of Lake Forest will: *"Ensure that the design of new residential development is compatible with that of existing residences."*

If the City allows Portola Center to have a 35 percent development bonus to offset the cost of providing 50 to 60 affordable units, the development will far exceed the density of the existing Portola Hills community and violate your compatibility goal for existing residences.

H. Page V-6 lists Program Actions through June 20, 2014: *"Evaluate sites within the El Toro Redevelopment Project Area for potential mixed use development."*

This Program Action is laudable and an appropriate solution to the City's need for future low- income housing solutions. Mixed use zoning makes sense here because the El Toro Redevelopment Project Area is adjacent to the freeway and other necessary jobs and community services necessary to support residents of affordable housing.



I. Page V-14 lists Program Actions through June 30, 2014: *"Should the City Council approve payment of fees in lieu of providing affordable units for Portola Center, the City shall identify additional sites suitable to accommodate the City's remaining regional housing need for lower income households."*

In lieu fees for Portola Center are an option that will benefit future low-income residents because the site is unsuitable for affordable housing due to high transportation costs, lack of public and school transportation, and great distance from jobs and necessary services.

J. Appendix B on page B-3 states that the *Saddleback Ranch Apartments property owner has acknowledged the opportunity for development on this property and expressed a willingness to work with the City regarding affordable housing when market conditions permit.*

The Saddleback Ranch Apartments on Los Alisos Boulevard are a more appropriate site for future affordable housing. The apartments would benefit from rehabilitation and are located closer to schools, jobs and services. The Saddleback Ranch Apartments are 2.75 miles from the freeway and 1.87 miles from El Toro High School.


K. Page B-5 states: "On July 1, 2008, the City Council adopted a general plan amendment and zone change for the Opportunities Study Area...while exact timing of development within the OSA has not been determined, it is anticipated that a significant amount of activity will occur when market conditions improve....*The following table illustrates the anticipated projects within the OSA.*" *This Table lists Portola Center, IRWD, Pinnacle and Whistler.*

The ANTICIPATED ACTIVITY must also include the Shea site because the City of Lake Forest Planning Commission recommended approval of this 2,800 unit project in June 2010. The Housing Element 2008-2014 is not UPDATED without including the Shea site and its impact on the City of Lake Forest.

In conclusion, the 2008-2014 Housing Element Update omits transportation planning for jobs, schools and necessary services for low-income residents. The Housing Element Update's conclusions are based on outdated information and do not reflect the reality of the current recession. Current foreclosure rates, housing prices and rental rates should be accurately reflected in this report so policy makers can make accurate decisions in the public interest. Realistic planning models for additional housing need to be included to facilitate proper public policy making by City officials. Traffic coming from Bake and onto Portola Parkway is already very congested in the commuting and school start and finish hours. Adding more commuters to this area will only increase this already existing problem.

Thanks you for your consideration in these areas. We all want what is best for Lake Forest and the communities of Portola Hills and Foothill Ranch.

Sincerely,

  
Claire M. McGirr  
19486 Jasper Hill Rd  
Trabuco Canyon, CA 92679

Ian Morrell  
28561 Chimney Rock Circle  
Portola Hills (Lake Forest), CA 92679

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**JUNE 17, 2010**

**VIA EMAIL and**  
**“ASK LAKE FOREST” <http://lakeforestca.gov/crm/default.asp>**

Planning Commission  
City of Lake Forest  
25550 Commercentre Drive  
Lake Forest, CA 92630  
Fax (949) 461-3512

Attention: Planning Commission Chairperson Tim Hughes  
Planning Commission Vice Chairperson Jerry Zechmeister  
Planning Commissioner Terry Anderson  
Planning Commissioner David Carter  
Planning Commissioner Jerry Verplancke

Cc: Ms. Gayle Ackerman, Director of Development Services,  
[gackerman@lakeforestca.gov](mailto:gackerman@lakeforestca.gov)  
Ms. Cheryl Kuta, Planning Manager, [ckuta@lakeforestca.gov](mailto:ckuta@lakeforestca.gov)

Reference: Comments on the 2008 – 2010 Housing Element update

Dear Planning Commissioners:

This letter is to provide public comment on the draft update to the Lake Forest 2008 – 2010 Housing Element.

In review of the draft document, I have the following observations regarding: 1) Chapter II: Housing Needs Assessment, 2) Chapter III: Resources and Opportunities, 3) Chapter IV: Constraints, 4) Chapter V: Housing Action Plan, and 5) Appendix B: Land Inventory.

**Chapter II: Housing Needs Assessment**

The Tables and Discussion presented under Section II is flawed, as it does not accurately state the statistics for the City of Lake Forest.

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The tables and discussion presented under Paragraphs A1 Growth Trends, A2 Age, A3 Race/Ethnicity, B1 Household Composition and Size, B2 Housing Tenure, B3 Overcrowding, B4 Household Income, B5 Overpayment, C1 Current Employment, C3 Jobs-Housing Balance, D2 Housing Age and Conditions, D3 Vacancy, E1 Persons with Disabilities, E2 Elderly, E3 Large Households, E4 Female-Headed Households, and E5 Farm Workers use only the “92630” data, and therefore misrepresented as the City of Lake Forest. To illustrate this, Table II-3 Race/Ethnicity states that Lake Forest has a population of 58,707. This is the population of the 92630 area. To properly reflect the population used in generating this table, the 2000 Census Populations of Foothill Ranch (10,899) and Portola Hills (6,391) should be included. This would result in a 29.4% increase in population to 75,997.

The introduction to this section states: “The housing Needs Assessment utilizes the most recent data from the 2000 U.S. Census...” As such, the data is used for this update of the Housing Element should properly and accurately reflect the general population and household characteristics and trends of the ENTIRE city, and not be limited to only a portion of the city.

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### **Chapter III: Resources and Opportunities**

#### **Paragraph A1 (p. III-1): Regional Growth Needs 2006-2014:**

The Foothill Ranch CDP and Portola Hills CDP are required to be included under the Lake Forest City jurisdiction.

The reference to the RHNA allocation states “...based on the 2000 Census income distribution within each jurisdiction.....” Given the flaws revealed under Section II: Housing Needs Assessment, this section should discuss and clarify the inclusion of the Foothill Ranch CDP and Portola Hills CDP.

#### **Paragraph A2 (p. III-2): Inventory of Sites for Housing Development:**

A detailed analysis of potential development opportunities should include the large Shea/Baker site of the Opportunities Study.

The Shea/Baker site represents the most significant opportunity for new housing (approximately 2,500 units) in the City of Lake Forest. It should be included in the Housing Element update. Arguments that the Shea/Baker site is not included in the Housing Element Update as it is not zoned for that land use at the time the Housing Element update is not realistic. The Lake Forest Planning Commission on June 10, 2010 passed resolutions recommending that the City Council adopt the General Plan Amendment, Zone Change, PEIR Addendum, and Development Agreement for the Shea/Baker Site. It is anticipated that the City Council will shortly adopt those

recommendations. If inclusion of the Shea/Baker site is predicated on current zoning, then the Housing Element Update should be delayed until the City Council adopts the Planning Commission's recommendations that change the site's zoning and therefore become eligible for inclusion.

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##### **Paragraph A1e (p. IV-8): Governmental Constraints – Land Use Plans and Regulations – Off-street Parking Requirements:**

The city should include under the applicable Goals, Policies, and Housing Element Programs of Section V: Housing Action Plan of this Housing Element update to ensure, facilitate, evaluate, and encourage adequate local access by the residents of this type of housing to public transportation.

Justification for the ability to grant reduced parking for senior and other affordable housing is based on an assumption that "It is widely accepted that seniors and low-income households have fewer cars on average than higher-income households." (p.IV-8) Assuming that this is true, one can also assume that public transportation is more important in areas used for this housing type.

##### **Paragraph A1f (p. IV-8): Governmental Constraints – Land Use Plans and Regulations – Second Units**

Given that most residences in Lake Forest are under the jurisdiction of a Home Owner's Association (HOA), this paragraph should discuss the whether the Lake Forest Municipal Code allowing second units preempts HOA restrictions prohibiting second unit construction or conversion to "R2" use.

This paragraph states: "In response to state-mandated requirements and local needs, the City of Lake Forest allows for the development of second dwelling units by right.....in any residential district with an existing single-family residence on-site." (p. IV8-9)

##### **Paragraph A1g (p. IV-9): Governmental Constraints – Land Use Plans and Regulations – Density Bonus**

This paragraph should discuss inclusion of "Bonus Density" calculations in subsequent review and approval of specific tract maps, etc. submitted for approval by a developer in future submittals for the city. If future tract maps, etc are approved with specific unit counts, the tract maps should reflect the "potential" for increased unit counts if the developer decides to include future affordable housing.

**Paragraph B2b (p. IV-13): Governmental Constraints – Development Processing Procedures – Environmental Review**

This paragraph should include the discussion of when and if a Negative Declaration can be used in lieu of a Project Level EIR on a large project that was previously studied under a Program Level EIR.

If such, it should further discuss that in the case of a Negative Declaration, all EIR responses to comments previously deferred to the Project Level EIR will be addressed as part of the Negative Declaration process.

**Chapter V: Housing Action Plan**

**Paragraph B1, Program 1 (p. V-3): Housing Programs – Land Use Entitlements**

The Shea/Baker Site needs to be included under this Paragraph and its Program Actions through June 30, 2014.

The current language refers back to Chapter III, and Appendix B, which does not include the Shea/Baker site as part of the Opportunities Study. As stated in my discussion under Chapter III: Resources and Opportunities, Paragraph A1 (p. III-1): Regional Growth Needs 2006-2014, the Shea/Baker site represents the most significant opportunity for new housing (approximately 2,500 units) in the City of Lake Forest and IS a major part of the Opportunities Study.

**Paragraph B1, Program 6 (p. V-6): Housing Programs – Second Units**

The Program Actions through June 30, 2014 should discuss whether the Lake Forest Municipal Code allowing second units preempts HOA restrictions prohibiting second unit construction or conversion to “R2” use. Please refer to my discussion under Paragraph A1 f (p. IV-8): Governmental Constraints – Land Use Plans and Regulations – Second Units, above.

**Appendix B: Land Inventory**

**Opportunity Study Area (p. b-5):**

The large Shea/Baker site of the Opportunities Study needs to be included in this section as it presents the opportunity for approximately 213 affordable housing units (2,500 units multiplied by minimum threshold of 8.5%, p.B-6).

The Shea/Baker site represents the most significant opportunity for new housing (approximately 2,500 units) in the City of Lake Forest. It should be included in the Housing Element update. Arguments that the Shea/Baker site is not included in the Housing Element Update as it is not zoned for that land use at the time the Housing Element update is not realistic. The Lake Forest Planning Commission on June 10, 2010 passed resolutions recommending that the City Council adopt the General Plan Amendment, Zone Change, PEIR Addendum, and Development

Agreement for the Shea/Baker Site. It is anticipated that the City Council will shortly adopt those recommendations. If inclusion of the Shea/Baker site is predicated on current zoning, then the Housing Element Update should be delayed until the City Council adopts the Planning Commission's recommendations that change the site's zoning and therefore become eligible for inclusion.

This section also states that: "a minimum of 79 affordable units.....are required on the Portola Center Property." It appears that this Housing Element Update purposely allows an exorbitant amount of affordable housing on this one site, requires other smaller sites (Pinnacle and Whisler) to pay a fee in-lieu of providing affordable units, and exempts the largest site (Shea/Baker) of the Opportunities Study by way of exclusion from this Housing Element Update. If Shea/Baker is required to provide 6 acres (as covered under the proposed developer agreement) to the City of Lake Forest for affordable housing use, it should be discussed in this section.

Thank you for the opportunity to submit my comments on the Housing Element Update. If you require any additional information, please do not hesitate to contact me at 949-598-1780 (work), 949-858-0445 (home), or 949-246-1601 (cell).

Sincerely,

Ian Morrell

[ian.morrell@cox.net](mailto:ian.morrell@cox.net)

**Kuta, Cheryl**

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**From:** Stuart Moss [moss.usa@gmail.com]  
**Sent:** Sunday, June 20, 2010 10:03 PM  
**To:** Kuta, Cheryl  
**Subject:** Portola Center Development Plan

Dear Ms. Kuta:

Please explain the City's decision to include 50-60 affordable housing units in Portola Center instead of the 29 required by law.

As a resident of Portola Hills, I am in favor of including affordable housing in this new development. All areas of the city should incorporate affordable housing. What concerns me is the lack of public transportation, which will severely limit those new residents' access to basic services such as food and medicine, as well as how they get to/from work or non-elementary school.

Adding the 29 units mandated by law will enable the City to locate the remaining units in areas with access to adequate public transportation and give residents the choice where to locate (depending on their individual transportation requirements).

I look forward to your reply.

Regards,  
Stuart Moss

**From:** Marty Neuville  
**To:** Kuta, Cheryl;  
**CC:**  
**Subject:** Portola Hills City Housing Element  
**Date:** Friday, June 04, 2010 6:11:09 PM  
**Attachments:**

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Hello,

I was recently informed that you are responsible for the City's Housing Element Update for 2008-2014. Our community lacks the public resources necessary for low income apartments. We live on very steep hills and don't have buses running through out city. You need a car to get basic staples like food.

Our schools are already packed with no where to park.

I think the affordable housing should be built in the city near public transportation.

Thank you,

Marty Neuville



**Kuta, Cheryl**

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**From:** Tom B [tomb993@hotmail.com]  
**Sent:** Wednesday, June 09, 2010 2:59 PM  
**To:** Kuta, Cheryl  
**Subject:** City Housing Element Update for 2008-2014

Hi Cheryl,

I'm concerned about this update, in particular, Portola Center. The concentration of all the affordable housing in an area that lacks public services is troubling. I'm not just talking about police and fire services, but also buses, food, shopping, public transportation, etc. These will all increase traffic, congestion, noise, crime, parking, etc. Affordable housing would be better served in an area with better freeway access, like Saddleback Ranch Apartments.

The existing roads to Portola Hills, including freeway access like Bake and Lake Forest, are already quite congested during rush hours. More housing, close to 1,000 units, as far away from freeway access as Portola Center is, will only increase these problems. More housing will also increase the time police and fire services need to arrive or transport injured people to hospitals.

I feel Portola Center should be greatly reduced in scope, not only affordable housing, but in general. The area cannot absorb an increase in over 1,000 units.

Thanks for listening,

Tom Randel

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**DEPARTMENT OF TRANSPORTATION**

District 12  
3337 Michelson Drive, Suite 380  
Irvine, CA 92612-8894  
Tel: (949) 724-2241  
Fax: (949) 724-2592



*Flex your power!  
Be energy efficient!*

**June 23, 2010**

Cheryl Kuta  
City of Lake Forest  
25550 Commercentre Drive, Suite 100  
Lake Forest, California 92630

File: IGR/CEQA  
SCH#: 2010051086  
Log #: 2516  
I-5, SR-241

**Subject: City of Lake Forest 2008-2014 Housing Element Update**

Dear Mrs. Kuta,

Thank you for the opportunity to review and comment on the **Initial Study and Negative Declaration (IS/ND) for the City of Lake Forest 2008-2014 Housing Element Update**. The Housing Element is an integral component of the City's General Plan, which addresses existing and future housing needs of all types for persons of all economic segments in the City. State law requires the preparation of a Housing Element every five years as part of the comprehensive General Plan. The nearest State routes to this project are I-5 and SR-241.

**The Department of Transportation (Department) is a responsible agency on this project and we have the following comments:**

1. The General Plan and its elements should include language requiring the City to develop policies stressing coordination between the City and the Department early in the land use and transportation planning process.
2. The Department supports General Plans and elements that foster a more efficient land use pattern that (a) supports improved mobility and reduced dependency on single-occupant vehicle trips, (b) accommodates an adequate supply of housing for all incomes, (c) reduces impacts on valuable habitat, productive farmland, and air quality, (d) increases resource use efficiency, and (e) results in safe and vibrant neighborhoods. The Department recognizes that non-motorized travel is a vital element of the transportation system and therefore, encourages communities make pedestrian and bicycle activity possible, thus expanding transportation options, and creating a streetscape that better serves a range of users – pedestrians, bicyclists, transit riders, and automobiles.
3. The General Plan and its elements should acknowledge the Departments' standard of maintaining a target Level of Service (LOS) at the transition between LOS D and LOS E on State highway facilities. Any degradation of the LOS past this threshold should be mitigated to bring the facility back to the baseline/existing condition. For future projects that may impact State facilities, we recommend the City work with the Department on thresholds of significance related to all State facilities that experience unacceptable LOS (worse than the operating standard of LOS D).

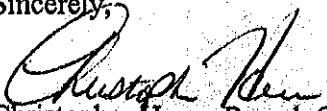
4. Mitigation measures are required for any significant impacts to the State Highway System to bring to a less than significant condition. If certain mitigation is considered not feasible, other measures must be pursued to mitigate the Project's significant impacts.
5. The Department's Traffic Operations Branch requests all applicants to use the method outlined in the latest version of the Highway Capacity Manual (HCM) when analyzing traffic impacts on State Transportation Facilities. The use of HCM is preferred by the Department because it is an operational analysis as opposed to the Intersection Capacity Utilization (ICU) method, which is a planning analysis. In the case of projects that have direct impacts on State Facilities, the Department recommends that the traffic impact analysis be based on HCM method. Should the project require an encroachment permit, Traffic Operations may find the Traffic Impact Study based on ICU methodology inadequate resulting in possible delay or denial of a permit by the Department. All input sheets, assumptions and volumes on State Facilities including ramps and intersection analysis should be submitted to the Department for review and approval. The EIR should include appropriate mitigation measures to offset any potential impacts.

The traffic impact on the state transportation system should be evaluated based on the Department's Guide for the Preparation of Traffic Impact Studies which is available at:  
<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>.

6. For I-5 and SR-241, HCM analysis should be applied to the closest access point from a project site onto these two routes as well as intersections upstream and downstream to that access point. The analysis should include the ramp intersections as well as intersections upstream and downstream to a given ramp intersection. Queue Analysis should also be conducted for off-ramps.
7. The Department has interest in working cooperatively to establish a Traffic Impact Fee (TIF) program to mitigate traffic impacts on a "fair share" basis. Local development project applicants would pay their "fair share" to an established fund for future transportation improvements on the State Highway System. If there is an existing TIF program, it can be amended to include mitigation for the state highway system or a new TIF program may be considered. The Department requests the opportunity to participate in the TIF for state highway improvements development process.
8. For cumulative significant traffic impacts to the State Highway System, the City should work with the Department to develop a menu of feasible improvement projects that can help mitigate impacts to a less than significant level.
9. The Department has an established methodology standard used to properly calculate equitable project share contribution. This can be found in Appendix B of the Department's Guide for the Preparation of Traffic Impact Studies.
10. For CEQA purposes, the Department does not consider the Congestion Management Plan (CMP) significance threshold of an increase in v/c more than 1% for ramps or 3% for mainline appropriate. For analysis of intersections connecting to State facilities, ramps and freeway mainline, we recommend early coordination occur to discuss level of significance thresholds related to traffic and circulation.

Please continue to keep us informed of this project and any future developments, which could potentially impact the State Transportation Facilities. If you have any questions or need to contact us, please do not hesitate to call Marlon Regisford at (949) 724-2241.

Sincerely,



Christopher Herre, Branch Chief

Local Development/Intergovernmental Review

**Kuta, Cheryl**

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**From:** Caroline Salaya [csalaya@cox.net]  
**Sent:** Monday, June 21, 2010 9:49 PM  
**To:** Kuta, Cheryl  
**Subject:** Portola Hills project

Dear Cheryl:

I strongly urge the council to review the comments that the residents of Portola Hills have made regarding the studies that were done some time ago. As you know, much of the information included in the study is outdated and not valid, which would then call into question any decisions about development that were based on the studies. I also urge you to re-consider the plan to incorporate more low and very low housing than is currently required by law. The area of Portola Hills likely has some of the highest property values in all of Lake Forest and any development should be kept in line with what is currently in the area. Ms. Wallace also points out the problems regarding transportation, retail accessibility, etc., all of which is very valid. As she also notes, there is an alternative option for building this housing in an area that is more suitable AND where the current landowner is requesting that it be built.

As I have stated in previous letters, I feel that the residents of Portola Hills have been treated like "step-children" by the officials that serve us. We get very little back for the taxes that we pay. When we became part of Lake Forest we were told that the entrance to our neighborhoods would be updated and as of yet nothing has been done. With the exception of the city placing sandbags around the slope areas at Glen Ranch and Saddleback, (which become a walking hazard because they always tear open and cover the sidewalks) nothing has been done to improve this area. We get street sweeping, but since the city has no parking enforcement on the designated days my street rarely gets swept. Our children are sent to middle and high schools that are not the most local, something our elected school board officials designated. I am really tired of being a second class citizen of Lake Forest and I hope that you will sincerely consider the information that Ms. Wallace has developed and do what is right for the Portola Hills residents.

Thank you,  
Caroline Salaya

**From:** Souza, Brett  
**To:** Kuta, Cheryl;  
**CC:**  
**Subject:**  
**Date:** Monday, June 07, 2010 9:25:28 AM  
**Attachments:**

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Ms. Kuta

I recently became aware of the proposed development by the Baldwin's of the Portola Center in Portola Hills. The proposed development seems completely inconsistent with the Portola Hills community. I'm a little amazed at what appears to have been approved for development. Frankly, it seems as if the city did little to no community research to determine what would be consistent with Portola Hills; or if research was done it must have been ignored in favor of approving the developer's plan against what common sense would dictate at a minimum. I recently had separate conversations with 5 different families that live in Portola Hills. I understand that 5 families, even in separate conversations, may not be an adequate sampling of the population but it presents a telling reaction. When discussing the proposed development and what will be included, each family independently expressed the almost identical reaction - You have got to be kidding me, that doesn't fit this community. What is the city thinking?

In addition, I was equally amazed at the proposed affordable housing plan that seems to concentrate much if not all of the city's proposed affordable housing units in one location (ours) where there is already a lack of things such as basic bus service. Not to mention the fact that the children from our area drive several miles to middle school and high school because of the strange districting rather than attending the significantly closer schools.

To the extent public input from the affected community matters at this point, please receive my input as complete disappointment in the city on this issue.

***Brett J. Souza***

[BSouza@BryanCave.com](mailto:BSouza@BryanCave.com)

(949) 223-7119  
(949) 223-7319 (Personal Fax)  
(949) 223-7100 (General Fax)

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bcllp2010

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**From:** Strachan, Michael  
**To:** Kuta, Cheryl;  
**CC:**  
**Subject:** Portola Center Proposal  
**Date:** Sunday, June 06, 2010 9:07:04 PM  
**Attachments:**

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Hi Cheryl,

I am a concerned home owner and resident of the current Portola Hills Community. I'm writing to you regarding the new proposed Portola Center. I truly believe the proposal for the Portola Center as it stands today will not work for the city, our Portola Hills community, and should not go through.

The City's Housing Element Update for 2008-2014 will not work for our community. Problems with Portola Center's affordable housing plan include concentrating all of the City's proposed affordable housing units in one location where there is a lack of public services. This includes a lack of bus service to school and work, and the inability to reach basic services, such as food, without access to public transportation.

It will also create major traffic issues in and out of the Portola Hills Community, with only a couple of ways in/out. Additionally, with only the couple of ways in/out, it creates an issue for safety in the event of a fire or major catastrophe.

Lastly, with all of the low-income homes proposed it will reduce our home values and aesthetics of our community.

Please reconsider the current plans. I, along with many of my neighbors, are requesting a revised proposal to eliminate all low-income housing, and revise current proposal to all single family detached homes only. No commercial strip center either, which will only attract traffic, trash, crime, etc.

Myself and many of my neighbors would like to stay in Portola Hills and Lake Forest for many years, but if plan goes through as proposed, we will have to reconsider.

Thanks in advance.

Sincerely,

**Mike**

**R. Michael Strachan**  
**Homeowner**  
**Portola Hills, CA 92679**  
**mstrachan@ksea.com**

**From:** christina stone  
**To:** Kuta, Cheryl;  
**CC:**  
**Subject:** Housing Element Update for 2008-2014  
**Date:** Sunday, June 06, 2010 11:17:49 AM  
**Attachments:**

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My husband and I are 17 year residents/homeowners of Portola Hills. We are very concerned with the impact of your City's Housing Element Update for 2008-2014 on our community.

I understand the city of Lake Forest is only required to build 29 affordable housing units. But, according to city officials, the HCD insisted that double the number of required affordable units be built in Portola Center. I encourage you and the city officials to express the concerns of your residents to the HCD and propose other options to spread out the need for affordable housing across all Lake Forest communities instead of placing the burden on one.

The community of Portola Hills lacks public services necessary for low income residents to reach work, school and shopping centers for essential items such as food and clothing. Portola Hills offers only two entrances to the community and with the additional housing proposed traffic congestion along El Toro Road and Glenn Ranch Road will increase dramatically.

Lastly, Chief Richter of the Orange County Fire Authority mailed a letter to all Portola Hills residents dated April 20, 2010 classifying Portola Hills as a high wildfire risk area. By adding hundreds more residents to Portola Hills the city of Lake Forest is placing increased risk to our safety by making it more difficult for families to evacuate and the firefighters to gain access in an emergency.

Thank you for taking the time to read my email. I hope you will take our points into consideration.

Marc & Christina Stone  
29066 Canyon Vista Drive  
Trabuco Canyon CA 92679  
949-888-8969 home

**Kuta, Cheryl**

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**From:** Elizabeth Wallace [eltwallace@gmail.com]  
**Sent:** Monday, June 21, 2010 1:12 PM  
**To:** Kuta, Cheryl  
**Subject:** City of Lake Forest 2008-2014 Housing Element Update

June 21, 2010

City of Lake Forest Development Services Department  
Attn: Cheryl Kuta, Planning Manager  
25550 Commercentre Dr., Suite 100  
Lake Forest, CA 92630  
Correspondence sent via email to: [ckuta@lakeforestca.gov](mailto:ckuta@lakeforestca.gov)

Re: Notification of Public Review Period for Initial Study on Proposed City of Lake Forest 2008-2014 Housing Element Update

Dear Ms. Kuta:

I have read the City of Lake Forest 2008-2014 Housing Element Update and I have the following comments:

A. Chapter II of the Housing Element states: ***"Total employment in Orange County is expected to grow by 18 percent between 2004 and 2014.*** The overall growth is expected to add 287,400 new jobs and bring the employment of Orange County to almost 1,887,000 by 2014." (page II-9).

The source for this projection is the California Employment Development Department March 2005 Benchmark.

The job growth projection is outdated and relies on information provided before the current recession. Current job growth estimations are hugely overestimated and therefore the Housing Element Update contains false information and should be revised.

According to the A. Gary Anderson Center for Economic Research data released by the Chapman University Economic Forecast Update for the U.S., California and Orange County dated June 26, 2007, job growth in Orange County in 2006 was 1.1 percent which translates into 16,400 net new jobs for Orange County. Job growth for 2007 was projected to be 1.2 percent, and 1.1 percent for 2008. Most new jobs were projected to occur in the services sector. The Housing Element Update should not deceive policy makers by relying on inaccurate, outdated information.

B. Chapter II also states on page II-11: "According to OCP 2006, the City is anticipated to add over 26,000 jobs and ***125 additional housing units between 2005 and 2035.*** Based on these projections, the anticipated jobs-housing ratio in 2035 would be 2.2 jobs per housing unit. (OCP 2006 was adopted prior to the City's adoption of the General Plan Amendment and Zone Change for the Opportunities Study Area)."

This conclusion should be stricken from the Housing Element Update because it is inaccurate and

misleading. The Opportunities Study has approved approximately 1,000 units for development as of August 2008, and as of June 2010, the City of Lake Forest Planning Commission recommended approval to the City Council of 2,800 additional new units to be built at the Shea site off of Bake Parkway.

C. Page II-15 states: "Housing vacancy rates as reported in the 2000 Census are shown in Table II-17... The rate of for sale housing was similar to the County at .9 percent. ***Rental vacancy rates in the 2 percent range indicated nearly full occupancy, and contribute to upward pressure on rents.***"

This conclusion is invalid and misleading due to the recession. The Housing Element Update should reflect CURRENT foreclosure and rental conditions due to the ongoing recession. Policy makers cannot make informed decisions using outdated information.

D. Chapter 3 Table III-2 Residential Land Inventory 2006-2014 lists Portola Center, IRWD, Pinnacle, Whisler and Summit Crest but not the Shea site. Shea should be included in this land inventory listing especially since your Notes state: ***"Opportunity Study Area new units are estimated based on preliminary development plans."*** (Page III-3) The Shea plan for 2,800 new units in Lake Forest must be included because the development is beyond the preliminary stage due to the June 2010 recommendation of approval by the Lake Forest Planning Commission.

E. Chapter 4 Constraints lists the LPMC Sec. 9.18.4.040.E General Welfare: ***"The application will not result in conditions or circumstances contrary to public health and safety and the general welfare."*** (Page IV-2) Requiring 52 very low- and low-income units in Portola Center will create conditions that are contrary to public health and safety of the new very-low and low- income residents because Portola Center is an isolated development that has no access to public transportation, child care, junior high or high school transportation.

F. Chapter Five lists Policies and Goals for the Housing Element. Page V-1 lists Goal 1.6: ***"Encourage the development of new housing units in close proximity to public transportation and community services."***

Below is a recordation of mileage from Portola Center to community services:

- 6 miles to Serrano Intermediate School
- 5.5 miles to El Toro High School
- 2.5 miles to the nearest grocery store, Ralphs, Foothill Ranch, CA
- 7.5 miles to the 5 freeway
- 7.5 miles to the central bus station
- 3 miles to Kindercare Learning Center in Foothill Ranch, CA
- 3 miles to Walmart in Foothill Ranch, CA

**The Saddleback Unified School District has discontinued bus service due to budget problems. There is no public transportation for Portola Center. Portola Center is not close to a freeway. Driving on the toll road currently costs \$2.75 one way to Irvine, California.** Portola Center is located approximately 1,000 feet above sea level and thus cars must use more gas climbing the steep hills to the development. All necessary services and jobs are significantly below this very steep location.

Very low- and low-income residents will experience financial difficulty simply paying for transportation to basic services. Portola Center is an isolated development surrounded by open space and violates City Goal 1.6.

G. Page V-4 states: Pursuant to State density bonus law, ***developers who agree to provide affordable***

***units in a development must be granted a density bonus of up to 35 percent or other incentives of equivalent financial value to facilitate such developments.”***

This statement is contrary to Goal 1.4 which states that the City of Lake Forest will: ***“Ensure that the design of new residential development is compatible with that of existing residences.”***

If the City allows Portola Center to have a 35 percent development bonus to offset the cost of providing 50 to 60 affordable units, the development will far exceed the density of the existing Portola Hills community and violate your compatibility goal for existing residences.

H. Page V-6 lists Program Actions through June 20, 2014: ***“Evaluate sites within the El Toro Redevelopment Project Area for potential mixed use development.”***

This Program Action is laudable and an appropriate solution to the City’s need for future low-income housing solutions. Mixed use zoning makes sense here because the El Toro Redevelopment Project Area is adjacent to the freeway and other necessary jobs and community services necessary to support residents of affordable housing.

I. Page V-14 lists Program Actions through June 30, 2014: ***“Should the City Council approve payment of fees in lieu of providing affordable units for Portola Center, the City shall identify additional sites suitable to accommodate the City’s remaining regional housing need for lower income households.”***

In lieu fees for Portola Center are an option that will benefit future low-income residents because the site is unsuitable for affordable housing due to high transportation costs, lack of public and school transportation, and great distance from jobs and necessary services.

J. Appendix B on page B-3 states that the ***Saddleback Ranch Apartments property owner has acknowledged the opportunity for development on this property and expressed a willingness to work with the City regarding affordable housing*** when market conditions permit.

The Saddleback Ranch Apartments on Los Alisos Boulevard are a more appropriate site for future affordable housing. The apartments would benefit from rehabilitation and are located closer to schools, jobs and services. The Saddleback Ranch Apartments are 2.75 miles from the freeway and 1.87 miles from El Toro High School.

K. Page B-5 states: “On July 1, 2008, the City Council adopted a general plan amendment and zone change for the Opportunities Study Area...while exact timing of development within the OSA has not been determined, it is anticipated that a significant amount of activity will occur when market conditions improve....***The following table illustrates the anticipated projects within the OSA.” This Table lists Portola Center, IRWD, Pinnacle and Whisler.***

The ANTICIPATED ACTIVITY must also include the Shea site because the City of Lake Forest Planning Commission recommended approval of this 2,800 unit project in June 2010. The Housing Element 2008-2014 is not UPDATED without including the Shea site and its impact on the City of Lake Forest.

In conclusion, the 2008-2014 Housing Element Update omits transportation planning for jobs, schools and necessary services for low-income residents. The Housing Element Update’s conclusions are based on out-dated information and do not reflect the reality of the current recession. Current foreclosure rates, housing prices and rental rates should be accurately reflected in this report so policy makers can make accurate decisions in the public interest. Realistic planning models for additional housing need to be

included to facilitate proper public policy making by City officials.

Sincerely,

Elizabeth Wallace  
19241 Jasper Hill Rd.  
Trabuco Canyon, CA 92679  
949-858-3014  
Email: [eltwallace@gmail.com](mailto:eltwallace@gmail.com)

Cc: Jennifer Seager  
Program Manager  
Housing and Community Development  
State of California

Planning Commission Chair Tim Hughes  
Planning Commissioner Jerry Zechmeister  
Planning Commissioner Terry Anderson  
Planning Commissioner David Carter  
Planning Commissioner Jerry Verplancke

**Kuta, Cheryl**

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**From:** Richard Yonis [ryonis@ehrscope.com]  
**Sent:** Thursday, June 17, 2010 6:07 PM  
**To:** Kuta, Cheryl  
**Cc:** Ackerman, Gayle  
**Subject:** Objection to Housing draft update Lake Forest 2008-2010

Dear Planning Commissioners:

I have personally met with and am in agreement with members of the Portola Hills community who feel that the City of Lake Forest which is elected to represent my interest has completely ignored my local community interest for the sake of generating city revenue by expanding property without considering the true and full impact upon the local community in which I live. As a tax paying citizen I demand to be heard.

Although I have not personally drafted the following I am in full agreement with its content and respectfully request the City Counsel to strongly re-consider its possession on this matter. I have modified its contents to ensure it reflects my questions, concerns and objections to the current plan.

This letter is to provide public comment on the draft update to the Lake Forest 2008 – 2010 Housing Element.

In review of the draft document, I have the following observations regarding: 1) Chapter II: Housing Needs Assessment, 2) Chapter III: Resources and Opportunities, 3) Chapter IV: Constraints, 4) Chapter V: Housing Action Plan, and 5) Appendix B: Land Inventory.

#### Chapter II: Housing Needs Assessment

The Tables and Discussion presented under Section II is flawed, as it does not accurately state the statistics for the City of Lake Forest.

The data presented in Section II is based on the 2000 Census Data for Lake Forest, which is primarily limited to the 92630 zip code and does not include data for the separate Census Designated Places (CDP) of Foothill Ranch, and Portola Hills.

The tables and discussion presented under Paragraphs A1 Growth Trends, A2 Age, A3 Race/Ethnicity, B1 Household Composition and Size, B2 Housing Tenure, B3 Overcrowding, B4 Household Income, B5 Overpayment, C1 Current Employment, C3 Jobs-Housing Balance, D2 Housing Age and Conditions, D3 Vacancy, E1 Persons with Disabilities, E2 Elderly, E3 Large Households, E4 Female-Headed Households, and E5 Farm Workers use only the "92630" data, and therefore misrepresented as the City of Lake Forest. To illustrate this, Table II-3 Race/Ethnicity states that Lake Forest has a population of 58,707. This is the population of the 92630 area. To properly reflect the population used in generating this table, the 2000 Census Populations of Foothill Ranch (10,899) and Portola Hills (6,391) should be included. This would result in a 29.4% increase in population to 75,997.

The introduction to this section states: "The housing Needs Assessment utilizes the most recent data from the 2000 U.S. Census..." As such, the data is used for this update of the Housing Element should properly and accurately reflect the general population and household characteristics and trends of the



ENTIRE city, and not be limited to only a portion of the city.

The tables and discussion under Paragraphs D4b Housing Cost – For-Sale Housing, D4c Housing Cost – Rental Housing rely on DataQuick as a data source. DataQuick also defines Lake Forest as the 92630 zip code.

### Chapter III: Resources and Opportunities

#### Paragraph A1 (p. III-1): Regional Growth Needs 2006-2014:

The Foothill Ranch CDP and Portola Hills CDP are required to be included under the Lake Forest City jurisdiction.

The reference to the RHNA allocation states “....based on the 2000 Census income distribution within each jurisdiction.....” Given the flaws revealed under Section II: Housing Needs Assessment, this section should discuss and clarify the inclusion of the Foothill Ranch CDP and Portola Hills CDP.

#### Paragraph A2 (p. III-2): Inventory of Sites for Housing Development:

A detailed analysis of potential development opportunities should include the large Shea/Baker site of the Opportunities Study.

The Shea/Baker site represents the most significant opportunity for new housing (approximately 2,500 units) in the City of Lake Forest. It should be included in the Housing Element update. Arguments that the Shea/Baker site is not included in the Housing Element Update as it is not zoned for that land use at the time the Housing Element update is not realistic. The Lake Forest Planning Commission on June 10, 2010 passed resolutions recommending that the City Council adopt the General Plan Amendment, Zone Change, PEIR Addendum, and Development Agreement for the Shea/Baker Site. It is anticipated that the City Council will shortly adopt those recommendations. If inclusion of the Shea/Baker site is predicated on current zoning, then the Housing Element Update should be delayed until the City Council adopts the Planning Commission’s recommendations that change the site’s zoning and therefore become eligible for inclusion.

### Chapter IV: Constraints

#### Paragraph A1e (p. IV-8): Governmental Constraints – Land Use Plans and Regulations – Off-street Parking Requirements:

The city should include under the applicable Goals, Policies, and Housing Element Programs of Section V: Housing Action Plan of this Housing Element update to ensure, facilitate, evaluate, and encourage adequate local access by the residents of this type of housing to public transportation.

Justification for the ability to grant reduced parking for senior and other affordable housing is based on an assumption that “It is widely accepted that seniors and low-income households have fewer cars on average than higher-income households.” (p.IV-8) Assuming that this is true, one can also assume that public transportation is more important in areas used for this housing type.

#### Paragraph A1f (p. IV-8): Governmental Constraints – Land Use Plans and Regulations – Second Units

Given that most residences in Lake Forest are under the jurisdiction of a Home Owner’s Association (HOA), this paragraph should discuss the whether the Lake Forest Municipal Code allowing second

units preempts HOA restrictions prohibiting second unit construction or conversion to “R2” use.

This paragraph states: “In response to state-mandated requirements and local needs, the City of Lake Forest allows for the development of second dwelling units by right.....in any residential district with an existing single-family residence on-site.” (p. IV8-9)

Paragraph A1g (p. IV-9): Governmental Constraints – Land Use Plans and Regulations – Density Bonus

This paragraph should discuss inclusion of “Bonus Density” calculations in subsequent review and approval of specific tract maps, etc. submitted for approval by a developer in future submittals for the city. If future tract maps, etc are approved with specific unit counts, the tract maps should reflect the “potential” for increased unit counts if the developer decides to include future affordable housing.

Paragraph B2b (p. IV-13): Governmental Constraints – Development Processing Procedures – Environmental Review

This paragraph should include the discussion of when and if a Negative Declaration can be used in lieu of a Project Level EIR on a large project that was previously studied under a Program Level EIR.

If such, it should further discuss that in the case of a Negative Declaration, all EIR responses to comments previously deferred to the Project Level EIR will be addressed as part of the Negative Declaration process.

## Chapter V: Housing Action Plan

Paragraph B1, Program 1 (p. V-3): Housing Programs – Land Use Entitlements

The Shea/Baker Site needs to be included under this Paragraph and its Program Actions through June 30, 2014.

The current language refers back to Chapter III, and Appendix B, which does not include the Shea/Baker site as part of the Opportunities Study. As stated in my discussion under Chapter III: Resources and Opportunities, Paragraph A1 (p. III-1): Regional Growth Needs 2006-2014, the Shea/Baker site represents the most significant opportunity for new housing (approximately 2,500 units) in the City of Lake Forest and IS a major part of the Opportunities Study.

Paragraph B1, Program 6 (p. V-6): Housing Programs – Second Units

The Program Actions through June 30, 2014 should discuss whether the Lake Forest Municipal Code allowing second units preempts HOA restrictions prohibiting second unit construction or conversion to “R2” use. Please refer to my discussion under Paragraph A1f (p. IV-8): Governmental Constraints – Land Use Plans and Regulations – Second Units, above.

## Appendix B: Land Inventory

Opportunity Study Area (p. b-5):

The large Shea/Baker site of the Opportunities Study needs to be included in this section as it presents

the opportunity for approximately 213 affordable housing units (2,500 units multiplied by minimum threshold of 8.5%, p.B-6).

The Shea/Baker site represents the most significant opportunity for new housing (approximately 2,500 units) in the City of Lake Forest. It should be included in the Housing Element update. Arguments that the Shea/Baker site is not included in the Housing Element Update as it is not zoned for that land use at the time the Housing Element update is not realistic. The Lake Forest Planning Commission on June 10, 2010 passed resolutions recommending that the City Council adopt the General Plan Amendment, Zone Change, PEIR Addendum, and Development Agreement for the Shea/Baker Site. It is anticipated that the City Council will shortly adopt those recommendations. If inclusion of the Shea/Baker site is predicated on current zoning, then the Housing Element Update should be delayed until the City Council adopts the Planning Commission's recommendations that change the site's zoning and therefore become eligible for inclusion.

This section also states that: "a minimum of 79 affordable units.....are required on the Portola Center Property." It appears that this Housing Element Update purposely allows an exorbitant amount of affordable housing on this one site, requires other smaller sites (Pinnacle and Whisler) to pay a fee in-lieu of providing affordable units, and exempts the largest site (Shea/Baker) of the Opportunities Study by way of exclusion from this Housing Element Update. If Shea/Baker is required to provide 6 acres (as covered under the proposed developer agreement) to the City of Lake Forest for affordable housing use, it should be discussed in this section.

IN addition to the aforementioned issues I would like the city counsel to take into account current traffic and the recent study that was conducted. I would like to know who paid for this traffic study? Who authorized it? Why was a 1 day study performed which is not representative of a say a minimum of 30 days traffic flow? Why was there no one monitoring traffic on Glen Ranch and El Toro Rd? Why was the traffic not monitored on RidgeRoute and El Toro? Was the monitoring electronic or manual?

What will the impact be on an already impacted elementary and middle school? Without busing how will those students get to school? How many cars are predicted to now go up and down Glen Ranch and Saddleback Ranch Rd during peak business and school hours? Where is the data which can show me that my community will not be negatively impacted? Is the City of Lake Forest prepared to compensate me if my property value drops owing to this decision?

Thank you for the opportunity to submit my comments on the Housing Element Update. If you require any additional information, please do not hesitate to contact me at 949-713-1305 or via e-mail at [ryonis@gmail.com](mailto:ryonis@gmail.com)

**Regards,**

**Richard Yonis**  
Executive Producer | EHRScope, LLC  
Office Phone: 888.519.3100 ext. 125  
Direct Phone: 949.713.1305

**Websites:**

[www.EHRScope.com](http://www.EHRScope.com)  
[www.EMRConsultant.com](http://www.EMRConsultant.com)  
[www.EHRTv.com](http://www.EHRTv.com)

**Table A-2**  
**Responses to Comments**

<b>Letter</b>	<b>Response</b>
A	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
B	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
C	This comment letter requests preparation of an Environmental Impact Report (EIR) with the Housing Element Update to address traffic and schools impacts from the proposed Portola Center development. A program-level EIR (PEIR) was certified in 2008 for approval of the General Plan Amendment, Zone Change, and Development Agreement for the Portola Center property. The PEIR addressed at the program level the impacts of future residential development on the Portola Center property and four other properties within the City of Lake Forest. The program level analysis included a review of traffic and school impacts. Future site-specific planning will include project-level environmental review which will tier off of the PEIR to address impacts of up to 930 homes on the Portola Center Property and is not necessary with the Housing Element Update. As explained in greater detail in the Initial Study, a negative declaration is appropriate for this Housing Element Update because it would not result in any significant impacts.
D	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
E (2 letters)	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
F (2 letters)	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
G	This comment does not contain information directly relating to the content or adequacy

	of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
H	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
I	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
J	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
K	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
L	This comment addresses potential environmental impacts to public services and traffic related to the Portola Center project. As discussed in row C, above, a PEIR was certified for the General Plan Amendment, Zone Change, and Development Agreement that was approved in 2008 and future site-specific planning will include project-level environmental review to address impacts the Portola Center development. Analysis of the impacts of a specific project is not necessary with the Housing Element Update.
M	<p>Caltrans is a responsible Agency. The following responses are numbered according to the comments in the letter.</p> <ol style="list-style-type: none"> <li>1. The General Plan Circulation Element contains this language. No revisions to the Circulation Element are proposed at this time.</li> <li>2. The Land Use and Circulation Elements of the General Plan address these concepts. No changes to the Land Use or Circulation Element are proposed at this time.</li> <li>3. The Circulation Element and the City's CEQA Significance Thresholds Guide address LOS. This is not addressed in the proposed Housing Element Update.</li> <li>4. As disclosed in the IS/ND, the proposed 2008-2014 Housing Element does not cause any significant impacts to the State Highway System. The Initial Study determined that a traffic study was not warranted because the Housing Element Update would not alter any existing land use designations.</li> </ol>

	<p>5. See #4.</p> <p>6. See #4.</p> <p>7. See #4, the adoption of the 2008-2014 Housing Element would not cause impacts to State Highways.</p> <p>8. See #4-7.</p> <p>9. See #4-8.</p> <p>10. See #3, 4, and 7.</p>
N	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
O	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
P	This comment addresses potential environmental impacts to traffic related to the Portola Center project. As discussed in row C and L above, a PEIR was certified for the General Plan Amendment, Zone Change, and Development Agreement that was approved in 2008 and future site-specific planning will include project-level environmental review to address impacts the Portola Center development. Analysis of the impacts of a specific project is not necessary with the Housing Element Update.
Q	This comment addresses potential environmental impacts to public services and traffic related to the Portola Center project. As discussed in row C, L, and P above, a PEIR was certified for the General Plan Amendment, Zone Change, and Development Agreement that was approved in 2008 and future site-specific planning will include project-level environmental review to address impacts the Portola Center development. Analysis of the impacts of a specific project is not necessary with the Housing Element Update.
R	This comment does not contain information directly relating to the content or adequacy of the environmental analysis in the IS/ND. Responses to the issues raised in this letter are provided in a separate response to concerned Portola Hills Residents, dated August 2, 2010. This comment will be provided to the decision-makers for review and consideration during their deliberations regarding adoption of the 2008-2014 Housing Element.
S	This comment addresses potential environmental impacts to traffic and schools related to the Portola Center project. As discussed in row C, L, and P above, a PEIR was certified for the General Plan Amendment, Zone Change, and Development Agreement that was approved in 2008 and future site-specific planning will include project-level environmental analysis to address impacts the Portola Center development. Analysis of the impacts of a specific project is not necessary with the Housing Element Update.



August 2, 2010

Dear Portola Hills Resident:

Thank you for submitting comments regarding the 2008-2014 Draft Housing Element. Most of the letters received covered similar topics, so staff has developed the following to comprehensively address the concerns raised. The letters commonly addressed the Draft Housing Element and specifically how it relates to future development of the Portola Center project. We hope that the following information helps to illustrate the interrelationship between the two.

Mayor  
Peter Herzog

Mayor Pro Tem  
Richard Dixon

Council Members  
Kathryn McCullough  
Marcia Rudolph  
Mark Tettemer  
City Manager  
Robert C. Dunek

### **What is the Housing Element and why is the City updating it now?**

State law requires all cities and counties in California to adopt a comprehensive General Plan which guides land use planning decisions within the community. The General Plan consists of seven mandatory elements, including a Housing Element. The Housing Element is a policy and planning document that, among other things, identifies the City's housing goals. The housing element is the only General Plan element that is required to be updated at regular intervals. In addition, State law mandates that cities submit their Housing Element to the Department of Housing and Community Development (HCD) for review and certification.

For the purposes of the Housing Element Update, the State is organized into regions. All jurisdictions within a given region update the Housing element on the same general schedule. The City of Lake Forest is within the Southern California Association of Governments (SCAG) Region. This region consists of 189 cities within Orange, Los Angeles, Ventura, Riverside, San Bernardino, and Imperial counties. Each of these jurisdictions was required to update the Housing Element by June 30, 2008. The update of the Housing Element is a complicated process and not all jurisdictions were able to complete the update on schedule.

The current Housing Element cycle commenced in July 2007 when SCAG adopted the Regional Housing Needs Assessment (RHNA) allocation by jurisdiction for the period 2006-2014. The RHNA projects housing needs statewide for the upcoming Housing Element cycle and distributes the needed housing among local jurisdictions. More information regarding the RHNA for Lake Forest is provided below and in the Draft Housing Element.

Pursuant to state law, the City of Lake Forest has prepared a Draft Housing Element to cover the planning period 2008-2014. After conducting workshops with the public, Planning Commission and City Council, and working diligently with the staff at HCD, the draft housing element was released for public review in conjunction with the 30-day



public review period for the Initial Study and Negative Declaration required by the California Environmental Quality Act (CEQA). The 30 day public review period ran from May 26-June 28, 2010. Public hearings before the Planning Commission and City Council are scheduled for August and September, 2010.

Notably, this Housing Element Update does not change any existing General Plan land use or zoning designations, nor does it involve the approval of any specific project.

### **What is the City of Lake Forest's policy on the provision of affordable housing?**

The diversity of housing opportunities in Lake Forest distinguishes the City from many other south Orange County communities and has attracted residents to the City. While maintaining a commitment to creating quality neighborhoods, the provision of a balanced inventory of housing in terms of unit type, cost, and style allows the City to fulfill a variety of housing needs. The Housing Element contains numerous policies to ensure a variety of housing opportunities (ownership and rental) throughout the community and ensure that the design of new residential development is compatible with that of existing residences.

The City encourages new residential developments to incorporate 15% of the units as affordable. This policy was included in the prior adopted Housing Element and is being carried forward in the Draft 2008-2014 Housing Element. The policy provides flexibility and allows for creativity to enable the City, developer, and community to work collaboratively to design and locate the affordable units consistent with established community planning principles. For example, as part of the Opportunities Study, the City Council approved an Affordable Housing Implementation Plan (AHIP) for each landowner. The AHIPs provide a general outline for the provision of a limited number of affordable and workforce housing units in the Opportunity Study developments. When the developers advance to the site planning process, the AHIPs require the developers to ensure that all units, including those designed for income eligible families, demonstrate quality design and adhere to all the City's development standards. In addition, the AHIPs include a point system to incentivize the owners of the larger properties to provide a variety of affordable housing opportunities within their projects, including for sale condominiums and senior housing. Based on the size of the unit and targeted income level, the AHIP for Portola Center would result in the provision of approximately 79 affordable units. The Housing Element Update does not alter the previously approved AHIP for Portola Center or any other portion of the City.

The income of the residents eligible to reside in the units will be determined based upon the Orange County area median income (AMI). The 2010 AMI for a four person household in Orange County is \$87,200. The following breaks down the income limits for a four person household in each of the targeted income categories.

- Extremely low-income (earning 30% of AMI) = \$27,850 annually
- Very Low-income (earning 50% of AMI) = \$46,450 annually



- Low-income (earning 80% of AMI) = \$74,300 annually
- Moderate-income (earning 120% of AMI) = \$104,650 annually

The following table of median salaries for common occupations is provided to illustrate that affordable housing is often occupied by working professionals.

Occupation	Orange County Median Salary
Cashier	\$21,877
Butcher	\$27,500
Baker	\$27,621
Medical Assistant	\$32,069
Dental Assistant	\$34,838
Automobile Mechanic	\$43,148
Chef	\$43,318
Administrative Assistant	\$48,573
Nurse	\$51,234
Kindergarten Teacher	\$56,707
Firefighter <sup>1</sup>	\$57,977*
Police Officer <sup>2</sup>	\$61,068*
Paramedic <sup>1</sup>	\$67,977
Engineer	\$98,563
Lawyer	\$159,366
Source: California Employment Development Department	
1 Source: Orange County Fire Authority	
2 Source: Orange County Sheriff's Department	
*Starting Annual Salary (does not include overtime pay)	

Prior to the incorporation of the City of Lake Forest, the County of Orange also maintained a policy to include affordable housing within new residential projects. Both Foothill Ranch and Portola Hills included affordable units, which provides an example of the successful incorporation of affordable and workforce housing into a well-planned and highly desired residential community.

### **What is the State's mandate on affordable housing?**

A RHNA number is identified for each jurisdiction as described beginning on page II-29 of the Draft Housing Element. The State requires each city and county to identify land with appropriate zoning to accommodate a certain number of housing units in the income categories distributed in the RHNA.

### **What is the RHNA for Lake Forest?**

City of Lake Forest  
Regional Housing Growth Needs  
2008-2014

Very Low*	Low	Moderate	Above Mod	Total
6 20.7%	5 17.2%	6 20.7%	12 41.4%	29 100.0%

Source: SCAG 2007 (Table III-3, Draft 2008-2014 Housing Element)

\*Includes extremely-low households, estimated to be one-half the very-low need (3 units)

This table illustrates that the City's share of the regional housing need is 29 new housing units distributed among four income categories. The RHNA was adopted in 2007, prior to approval of the Opportunities Study, when the City had very limited areas available for new residential development.

### **Must the City build 29 affordable units?**

The City's role is to identify land with the appropriate zoning to accommodate the development of new housing in the income levels identified by the RHNA and to encourage and facilitate through its goals, policies, and programs the development of those units. Refer to Table III-2 and Appendix B of the Draft Housing Element.

### **What land has been identified in the Draft Lake Forest Housing Element that has appropriate zoning to accommodate the RHNA?**

The inventory of available sites is discussed beginning on page III-2 of the Draft Housing Element. A number of opportunities are identified in Table III-2, including the following.

- Saddleback Ranch Apartment located at the corner of Los Alisos Boulevard and Madero. This 34 acre property is designated as Medium Density Residential on the City's General Plan and has potential for construction of new units.
- Portola Hills Planned Community, as amended by the City Council in 2008 as part of the Opportunities Study. While the majority of the land area in the recently approved General Plan Amendment and zone change for Portola Center is identified as single-family residential, twenty-four acres are designated for Medium Density residential and seven acres as Mixed Use, which allows commercial and residential uses.
- Single family residential areas throughout the City that can accommodate second units under existing State law.

With the recent approval of a General Plan Amendment and Zone Change for the Shea-Baker Ranch property, Table III-2 has been revised to include additional opportunities for residential development, including affordable and workforce housing. This property can accommodate 1,900 – 2,800 new homes at a variety of densities. The 387 acre property includes 51 acres designated for mixed use, and 56 acres designated for Medium Density Residential.

The inventory summarized above and outlined in greater detail on Table III-2 of the Draft Housing Element demonstrates there are a number of opportunities within the community for the development of new units that would satisfy the City's RHNA requirements, and that the City's RHNA obligations will not be achieved exclusively as part of the Portola Center development.

**Are there other areas that have the appropriate zoning to accommodate affordable housing?**

Yes. Table III-2 in the Housing Element includes all of the vacant properties currently zoned for residential development and developed properties which may accommodate additional residential development. The vacant properties identified in Table III-2 include properties that were zoned for residential use in 2008 and 2010 as part of the Opportunities Study. Each of these properties has a development agreement which addresses affordable housing.

**What is the relationship between general plan land uses and affordable housing?**

The City's General Plan Land Use Element contains the following five categories of residential development.

- Very Low Density Residential (0 to 2 units per net acre)
- Low Density Residential (2 to 7 units per net acre)
- Low-Medium Density Residential (7 to 15 units per net acre)
- Medium Density Residential (15 to 25 units per net acre)
- High Density Residential (25 to 43 units per net acre)
- Mixed Use (up to 43 units per net acre)

In general, due to market forces, housing units developed in the Very Low Density, Low Density, and Low-Medium Density Residential designations tend to accommodate those with moderate incomes and above. Housing prices in the Medium and High Density Residential and Mixed Use designations typically accommodate those with lower incomes.

The Portola Center property includes 113 acres of Low Density Residential (78%), 24 acres of Medium Density Residential (17%), and seven acres of Mixed Use (5%). The developer has previously stated that the affordable and workforce housing will most

likely be located in the medium density and mixed use areas of Portola Center, south of Glenn Ranch Road.

### **Why is affordable housing proposed for Portola Center?**

Several comment letters expressed concerns regarding the placement of affordable housing within the Portola Center project and noted that a concentration of affordable housing was not planned elsewhere in the City. Please refer to the answer above regarding the City's land inventory as identified to meet the RHNA. Additionally, it should be noted that the City has ensured the provision of affordable housing to meet Housing Element Policy 1.10, as referenced above, through each of the Opportunities Study development agreements. This is discussed further in Appendix B of the Housing Element. Notably, this Housing Element Update carries forward this existing policy.

The design details for the required affordable units will be determined through the site specific planning of the Portola Center project. Through this subsequent planning process the integration within the community, location, design, amenities, etc. will be the subject of review.

### **How does the Housing Element Update relate to the approvals needed for development of the Portola Center Project?**

A General Plan Amendment and Zone Change for the Portola Center Property was approved in 2008 as part of the larger Opportunities Study Area project. A program level Environmental Impact Report (EIR) was prepared which evaluated the change in land use designations from commercial and business park to residential and mixed uses. This approval was the first step toward future residential development of the Portola Center property. Each of the Opportunity Study Area land owners is at a different stage in advancing more specific plans for residential development. With regard to Portola Center, the land owner is still in the preliminary stages of developing the Area Plan and First Tentative Tract Maps, which will serve as the basis for the preparation of a project-specific environmental review. Public meetings to review the Portola Center plans will begin later this year and will include meetings with the community to discuss the proposed plans.

### **Comments Not Specific to Portola Hills**

The following information is provided in response to comments that addressed specific sections of the Draft Housing Element.

#### **Census and Economic Data**

A question was raised regarding the suitability of the analysis provided in Chapter II of the Draft Housing Element. The 2000 Census is used to provide a background for the discussion of Lake Forest as it relates to the remainder of the County. The SCAG

methodology which was used to develop the RHNA adjusted the percentage of households in each income category to 110% of the Orange County average. Consequently, the distribution of income levels in all cities in Orange County was assumed to be the same (110% of the County average). In response to this question, a new appendix (Appendix E) has been added to the Draft Housing Element to include the 2000 Census Data for Portola Hills and Foothill Ranch. The inclusion of this data does not affect the City's RHNA of 29 units or change the recommended policies and programs.

#### Environmental Review

A comment was submitted requesting that the Housing Element specify when a Negative Declaration can be used to tier off of a Program EIR. Chapter IV, paragraph B.2.b. includes a general discussion of CEQA review as a potential constraint to the development of new housing. The Housing Element is not an appropriate document to address this request. The State and Local CEQA Guidelines clearly define when an EIR must be prepared and also provide guidance on the use of tiering from a Program EIR.

#### Density Bonus

A comment was made that the density bonus discussion in Paragraph A.1.g. of Chapter IV should include a discussion of the potential density bonus in future Opportunities Study (OSA) developments. This is not necessary because the OSA developers have agreed through the terms of their development agreements to waive their rights to request a density bonus.

#### Second Units

A question was raised regarding whether the City's policy allowing second dwelling units in any residential district with an existing single-family residence on-site (page IV-8) preempts homeowner association restrictions prohibiting second units. The answer is no, homeowner associations may prohibit second residential units through their Conditions, Covenants, and Restrictions (CC&Rs).

#### **Conclusion**

The Housing Element is a policy document that identifies the City's regional share of housing growth, provides an inventory of land suitable for residential development, and sets forth goals and policies related to housing within the City. This document is part of the City's General Plan which provides a long-term vision for the City. The General Plan designates the Portola Center property for future residential, park, and mixed-use development. Plans for development of the Portola Center property must undergo a complete review process by City Staff, the Planning Commission, and the City Council.

Opportunities for comments specific to the Portola Center development will be afforded to the public throughout the process.

The first public hearing on the 2008-2014 Housing Element will be held by the Planning Commission on August 12, 2010 at 7:00 p.m. The City Council is scheduled to consider adoption of the 2008-2014 Housing Element on September 7, 2010. Following adoption by the City Council, the document will be forwarded to the State of California Department of Housing and Community Development for Certification.

If you have any questions about this information, please contact me at (949) 461-3479 or via email at [ckuta@lakeforestca.gov](mailto:ckuta@lakeforestca.gov).

Sincerely,  
CITY OF LAKE FOREST

A handwritten signature in cursive script that reads "Cheryl Kuta".

Cheryl Kuta, AICP  
Planning Manager